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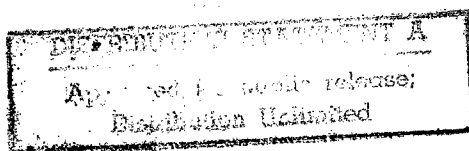
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East Europe Report

POLITICAL, SOCIOLOGICAL AND MILITARY AFFAIRS



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16 April 1985

EAST EUROPE REPORT
POLITICAL, SOCIOLOGICAL AND MILITARY AFFAIRS

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HUNGARY

OFFICIAL MSZMP POSITION ON YOUTH POLICY

Central Committee Position Paper

Budapest PARTELET in Hungarian Nov 84 pp 3-22

[Position Paper: "Hungarian Socialist Workers Party Position on Youth Policy
Taken on 9 October 1984"]

[Text] The Central Committee of the Hungarian Socialist Workers' Party dealt extensively with the social situation of the youth and the measures to be taken in this regard at its 18-19 Feb 1970 meeting. The position advantageously promoted the political work performed in the area of youth. During the past nearly one and a half decades, great changes have occurred in society and in the life of the youth. Social care of youth has improved. Hungarian society assures opportunities for learning, vocational training and work, and extensively supports childrearing. There have been significant results but at the same time, we did not succeed in creating the conditions to solve numerous problems; contradictions, difficulties, and tensions also arose. Consequently, a reevaluation of the situation is warranted, as is the consideration of timely tasks of youth policy.

I.

1. The lifestyle, social and political activity of the youth are diverse; there are significant differences even within individual strata of youth. A decisive majority of the youth accept and support our social goals and consider the social relations and triumphs of socialism a matter of course. They study diligently, do their share of the productive work, participate in establishing the new financial and intellectual standards of our society, and fulfill their patriotic and civil obligations. They appreciate that they are socially secure and live under acceptable conditions. They are proud of their country's accomplishments and international status. The number and impact of the youth who accept a role in public affairs responsibly and with commitment is significant; their constructive criticism is coupled with a readiness to act and make sacrifices.

Today, as a result of our socio-economic deficiencies, and as it becomes harder to satisfy increasing demands, impatience and disillusion are also more common. There is more uncertainty and confusion in evaluating the contradictions of our development, prospects and social values. Political sensitivity has increased. The youth legitimately complain about deficiencies in information and demand a

greater participatory role in the preparation of decisions and supervision of their implementation, and criticize the formal operation of certain public forums. There are numerous youths who are indifferent to social issues, and there are those who are mistrustful and have expressed reservations regarding some of our goals. There has been an increase in the number of young people who oppose our social values and norms and have difficulty conforming. There are more than a few youths who are irresponsible, turn to worthless amusement and often follow tasteless fashions. Youth crime has increased, and among the youth, habits damaging health and personality are also spreading.

The unfavorable changes occurring in the international situation also affect the thinking and behavior of the youth. Ideological struggles and disputes about the accomplishments, viability and humanism of different social systems have intensified. The propaganda directed against us distorts and exaggerates the developmental difficulties of our country and the other socialist countries and attempts to divide them and arouse nationalism. Imperialist propaganda--mainly directed at the youth--attempts to utilize the concern over increased international tensions to disseminate pacifist views. The basic majority of our youth reject these efforts.

2. The social mobility of the youth also continues to be assured. In the 1970's, nearly 60 percent of the youth at the entry level of their careers were in a different stratum than they had originated from. The educational level and training of the youth has increased and the percentage performing unskilled labor has decreased. The path of the majority of those starting careers leads to the strata of skilled and intellectual workers. Nearly a third of the youth who become skilled workers originate from strata of uneducated, unskilled laborers. Of the youth studying in institutes of higher education, 44 percent are the children of manual laborers. At the same time, certain social strata have become more closed. In the new generation of several intellectual professions, e.g., doctors, artists and lawyers, the percentage of those descended from the manual laborers has significantly decreased.

3. In the past few years, there have been several increasingly perceptible social and economic tensions--also of interest to public opinion--which accompany the preparation, social accommodation and initiation of independence of the youth.

a. In the majority of families, conditions for the healthy development of the children are assured; particular attention is given to childrearing and preparation of independent existence. At the same time, it is unfavorable that the number of families breaking up is on the rise. Many parents are neglectful in the rearing of their children; often irresponsibility and pampering are also observable. Some parents do not associate financial prudence with accustoming their children to work, independence and responsibility. They do not instill in them that it is only possible to acquire goods through persistent effort and struggle. Consequently, the youth are relatively unprepared to deal with the never easy task of starting out independently.

In many families, the physical, intellectual and moral development of the children is unsatisfactory because of the irresponsible, alcoholic, vagrant

and criminal lifestyle of the adults. The official number of youth endangered by these causes is over one hundred thousand. The institutions which deal with this are incapable of effective prevention. The social accommodation of youth reared outside the family has not been suitably solved.

b. As a result of the widespread expansion of schooling, the training and preparatory period has been lengthened, and the role of school in the lives of the youth has increased; significant effort has been made and results achieved in the interests of improving schooling conditions. The majority of pedagogues perform their teaching-training work very responsibly. This is the primary reason that today's youth has greater theoretical knowledge and better qualifications. A continuing concern is that learning institutions do not adequately contribute to the aid of remedial students in their studies or to the better development of exceptionally gifted students. In many respects, educational work does not meet the requirements. It does not convey and teach socialist ideals, social values, and ethical and behavioral mores with adequate success. The spirit of both teachers and students are dampened by unnecessary overburdening, and by the slower development of student government and school democracy than what could be possible. The socialist care of students has significantly improved over the past decade. However, the development of boarding schools has not kept pace with the demand. The institutional meals of a portion of students have not been solved.

c. Employment for the youth is assured; however, in certain areas of the country, tensions with regard to employment are apparent. In several professions and areas, manpower requirements and training are not synchronized and the system of retraining and continuing training is not fully developed. Problems arise because often the knowledge and capabilities of the youth are not utilized, although they are not generally encouraged to do this. A problem for many young specialists is that they do not get tasks suitable to their qualifications and capabilities.

Often the number of years spent on the job has a greater role in wage and salary increases than performance--especially with regard to young intellectuals. This is a substantial reason why the salaries of those just starting their careers grew at a slower pace than the average of the employed as a whole, and why the young reach the average level of pay for their profession later than at the beginning of the 1970's. The advancement of capable, ambitious and committed young professionals is slow; their financial and moral recognition is insufficient. The proportion of youth among the leadership in the national economy and in other areas of social life--with the exception of agriculture--is declining.

d. The problems associated with starting out on one's own have increased, primarily stemming from the difficulties in establishing a household. During the past one and a half decades, great efforts were made to improve the housing situation. Many young people obtained their own housing. The housing conditions of the age groups living with and supported by their parents are better than at the beginning of the 1970's. At the same time, it has become more difficult for young people starting families to acquire their own apartments. Those who are independently building their own homes at smaller settlements and villages are

also facing many problems, but the greatest stress exists in the cities. Here the present conditions for acquiring an apartment make it possible for less and less young people to acquire even modest apartments, through their own energies within the foreseeable future.

In the majority of cities the effects of the measures introduced in the interest of the institution of the first social rental apartment, or rather, the gradual acquisition of apartments, have not yet been felt. With the termination of the cooperative apartment, the only available possibilities today, besides the social rental apartments being built in small numbers, are OTP-apartment purchases and private construction. And these, for primarily financial reasons and also because of the problems related to obtaining land and material and the actual construction, are extremely difficult to attain by the majority of young people. Those who cannot expect parental aid are in the most difficult position. Today the creation of conditions for starting out independently is much more likely to be dependent on the financial situation of the parents than on the work and income of the young people.

4. During the past decade, efforts have been made to develop youth physical education and sports. However, the physical education and sports movements have been unable to keep pace with the growing demands. To this day, regular physical exercise has not become an integral part of the lifestyle and training of the youth. The physical capabilities and fitness of children and young people continue to be unsatisfactory. The influence of school physical education is weak and youth sports outside of school as well as the other forms of general sports afford regular sporting opportunities for few young people. The financial and personnel appropriations of student and general sporting is unsatisfactory and their improvement falls short of what is possible. The sporting institutions, under the present conditions of financial support and appreciation, are generally not interested in the promotion and development of the various sport and hiking movements.

Some of the cultural institutions do pay appropriate attention to the development of the views and tastes of the youth and to the fulfillment of their needs. However, others are unable to create the possibilities in public life that provide a framework for the aspirations of the youth. They shy away from art and cultural forms popular with the youth which would provide opportunities for refined entertainment. The entertainment institutions are often of low caliber and influence public tastes in the wrong direction.

Following the 1970 resolution, the vast majority of the youth centers, parks and recreational camps came under the jurisdiction of the councils. Consequently the legal and professional supervision of the institutions has improved. At the same time, the influence of the young and youth communities in the development of the program and utilization of the means is not effective. There are few institutions at the new housing sites where the youth could entertain and improve themselves in their free time. Nor are the young always motivated enough to take advantage of the opportunities.

Recently discounts relating to youth sport and leisure cultural activities have been developed. A portion of these, such as travel discounts and free admission

to museums affect all students and young soldiers. Other centrally subsidized discounts such as inexpensive vacations and lodgings and the loan of sporting and hiking equipment affect only a minority of the youth.

5. One of the major projects outlined in the resolution on youth policy was to develop a societally practical division of labor regarding the rearing of youth. The efforts were only partially successful. The social possibilities as envisioned by the resolution and additionally, as compared to the changing, increasing demands, did not improve sufficiently. We did not succeed in creating the financial requirements in every area for implementing the tasks of the state. Families, the role of parents, and the responsibility of youth for themselves received less than the necessary attention. The concept of youth has been unjustifiably enlarged. As a result, problems that in truth affect all of society appeared narrowed down as problems of youth.

a. In the past, party organs and organizations regularly dealt with the youth and youth associations. They had a large role in that judgments regarding the youth have become more balanced and realistic. There are less extreme opinions and views condemning the youth based on external appearances. That the majority of youths have confidence in the party may also be attributed to the work of party organizations. The party organizations are familiar with the problems of the youth and seek opportunities for their solutions. They made a great effort to synchronize youth policy tasks. However, they did not succeed in having the various organizations and institutions independently and directly assume more responsibility in the rearing of the youth.

The party agencies spent less than the necessary time in evaluating the issues arising in certain strata of the youth and in working out their positions. In response to the more critical and, at times, more impatient pronouncements of the youth, rejection and often isolation regarding questions deemed to be sensitive could be observed. The youth do not always get satisfactory responses to their problems and questions.

The personal participation of party members in the upbringing of the youth is not satisfactory. A criticism of the political work done with the youth is that for years, the percentage of young people in total membership has been declining. The distribution of the young by class and age who join the party is also developing unfavorably. The proportion of working youth, or rather, those under age 25, has decreased and the admission of new members from among university and college students continues to be small.

The principles of KISZ party direction have been clarified; however, in practice, there are still problems. In some places, they interfere minutely in the work of the youth organizations; in other places, they are totally left on their own. Occasionally, they formally deal with youth issues; sometimes the KISZ is also held accountable for the fulfillment of tasks that are the responsibility of other organizations. In general, the party agencies encourage the youth associations to adopt a youthful, flexible work style, but in reality, they do not always support this sort of initiative nor efforts that are better adjusted to the peculiarities of youth. Tension is caused by the fact that in personnel

questions it is difficult to synchronize the present implementation of the position earlier adopted by the party agencies with the direct election of the local KISZ officeholder; multiple nominations are more frequent.

b. The KISZ as a whole works successfully and participates actively in solving the tasks facing society. It acts as an initiator on numerous social and economic issues. It has successfully developed programs in the interests of various strata of youth, has represented these strata, and has instituted organizational forms and work styles that are more immediate to the youth.

The efforts directed at the development of the youth association as a movement have not yet yielded the desired result. Today its work still contains numerous theoretical components which are not sufficiently attractive to many young people. Despite efforts at differentiation, a movement has not been developed which accommodates to the characteristics of the various strata of youth and age groups, to their divergent interests and activities. This is primarily a concern with regard to students.

c. The youth work of the social organizations does not meet the requirements. They rarely deal directly with the youth. Specific art forms have not been developed which provide a framework for the interests and aspirations of the youth and which could promote their cultural development and satisfy their political and scientific interests on a high level.

d. The Youth Legislation enacted by the National Assembly in 1971 brought about a significant change in the work of the government youth agencies. A system of youth parliaments has been developed and expanded. The government, councils, and other state as well as economic agencies have devoted more attention to the problems of youth. The State Youth Committee has been established, and youth committees have been formed alongside the councils.

Despite this, there also seem to be problems with regard to the youth work of the state. The legal regulations are complex. The decisions relate mostly to principles and do not assure the conditions or guarantees for their implementation. On occasion, the postponement of necessary measures in the youth work of the state agencies can be seen; often the legitimate observations and suggestions of the youth do not receive a genuine response. The institutions and resources serving child and youth protection, youth sports, hiking, camping and the intelligent and worthwhile usage of leisure time have been dispersed.

The State Youth Committee is also not sufficiently assertive in formulating the tasks to be done regarding central youth policy, in assuring the resources for implementation and in coordinating and supervising. It is a significant problem that the real worth of the Central Youth Fund, i.e., the amount that could be allocated for building youth establishments, has declined over the past years to a great extent. At the same time the utilization of existing resources is also not satisfactory.

The professional supervisory agencies of the councils also devote less than the needed time to the coordination of youth policy tasks and the supervision of the implementation of decisions. In smaller settlements, the youth issues are

often pushed into the background and the conditions for carrying out tasks are by and large absent.

e. The armed forces and corps play a significant role in enriching the political, professional and general education of the youth and in increasing their stamina. During their term of service, the youth are trained in patriotism, loyalty to the nation, capacity for sacrifice and the conscious acceptance of order and discipline.

f. The press, television, and above all, the radio devote more time and space to the youth but still play a lesser role in the formation of the thinking and lifestyle of the youth than what could be possible. They do not vigorously and consistently oppose dubious fashions and false and distorted views.

II.

The Central Committee reinforced the principles of the party's youth policy pursued since 1957 which it summarized in the position adopted in 1970. These principles must be applied while taking into consideration the changes that have occurred in society and the situation of the youth, as well as the modified conditions and greater requirements.

The party's premise continues to be that the situation, development, thinking and conduct of the youth is determined by social conditions, in the formation of which the youth also participates and for which it is responsible. The internal class differentiation and stratification of the youth mirror the classes and strata of society and also represent characteristic features. The youth policy must take into consideration the situation and interests of the various groups of the young generation--workers, peasants, intellectuals and students. To effectively deal with youth issues, it is necessary that we concentrate primarily on high school and college level students, on working youth who are just starting their careers, and on those who are starting families.

1. Our youth policy--which is a part of the party's general policy--serves to provide the youth with an education in the socialist spirit. Its purpose is to win over the new generations of youth to our ideals and goals and to involve them in the building of socialist society. We must train them to be adults who are patriotic and internationalist, who have socialist goals and are cultured, qualified, public-minded individuals, who work tirelessly to enrich the community and who accept responsibility for themselves and society.

It is of fundamental importance that the party provide an illusion-free, realistic and motivating outlook for the youth. And it should improve the preconditions for the youth to be able to assume a responsible role in the tasks serving the development of the country, in public affairs, in the formulation of our policies and in leadership. It is essential that their social and political activity, initiative, independent activity and sense of responsibility develop even more for the realization of their plans and goals, and for the resolution of their problems. It is necessary for society to exhibit confidence, patience and understanding towards the youth and at the same time, to increase the demands on the youth in work, study, physical fitness and sports.

The Hungarian Socialist Workers' Party builds and relies on the knowledge, preparedness, and commitment of Hungarian youth. It calls the youth to protect

and develop our society's historical triumphs, to enrich the country and to further build socialism and create the conditions which assure greater social justice, financial and intellectual richness, and a greater degree of democracy. The party feels it is important that the youth be given more opportunities for proving themselves, for using and developing the knowledge they have acquired, and that the differences in prospects stemming from the social and financial position of families be moderated and the conditions for starting life independently be improved.

A great deal of attention must be given to youth employment. The love of work must be nurtured in the youth. The examples provided by adults have a great role in the development of attitudes toward work. The enterprises, cooperatives, and institutions should provide young people starting their careers with work suitable to their training and capabilities. They should provide compensation proportional to their accomplishments, and for the professional and leadership promotion of outstanding workers.

2. The usable resources available for improving the youth situation in the annual and mid-range plans must be concentrated on reducing the differences in prospects attributable to societal origin, so that young married couples may acquire apartments faster, so that child care is better subsidized socially, and so that the education as well as the conditions of social care of students is improved. In solving the tasks, we must rely on the energy and efforts of the youth.

a. We must review the experiences gained from apartment construction and management, especially with regard to the possibilities of the young in obtaining apartments. Advance savings and credit structures must be modified so that young families may acquire progressively suitable apartments through a realistic expenditure of their own efforts. Need and social circumstances must be given greater consideration with regard to the level of support. The cash necessary for buying and building privately owned housing must be reduced. Further measures must be taken so that a greater percentage of young families with low incomes, especially in the cities, may acquire apartments. Consequently, the quantity and proportion of the building of rental housing must be increased.

b. Society must assume the responsibility for a greater portion of the education of children. We must reach a stage where the number of children cause less of a difference in the financial situation of a family than at present. It is also warranted to support multi-children families with further subsidies in addition to the general assistance. A preferential goods purchasing credit system dependent on the number of children must be developed for easing the burdens of raising a family.

c. It is an important task to improve and expand social support of students and child and student nutrition, and to preserve the real value of scholarship. A proposal should be put forth for the greater assertion of social justice in student and social benefits and for the more decisive role of students in defining need and legitimacy.

d. It is essential that the child and youth protection network and the institutions dealing with endangered children and youth be strengthened and

that their activities be synchronized and their social base expanded. It is necessary to expand the financial, material and personnel aspects of the operation of the state foster homes. Youth health care must be improved in the interests of preventing and repressing the formation of habits undermining the physical and intellectual development of the youth and their health.

3. The preparation, education and the assurance of the social integration of the youth is the task of society as a whole. This requires the purposeful and coordinated work of the family, educational institutions, the workplace, collectives, state agencies, the armed forces and the party and social organizations. The youth also bear responsibility for forming their future.

a. The role of the family plays a determinant role in child care, the education of the youth, development of lifestyle, the cohesion of the different generations and the reinforcement of the mores of communal existence. The parents are responsible for providing a good family atmosphere for their children to grow up in, and for having their children acquire the knowledge and accept the values and norms which are necessary for social integration and a well-balanced life. The family also has an indispensable role in having the children and youth view the world realistically, understand its phenomena and live and think in a socialist manner.

b. The school and teachers play an important role in the education of children. It is essential that the implementation of the party and state decisions regarding the tasks of expanding high school and college education be accelerated. Schools must demand disciplined study. It should be democratic, provide opportunities for independent activity and the operation of self-government, and should develop civic-minded individuals capable of orienting in social situations. The educational system should, to the extent possible, moderate the unequal opportunities for further education and development, and promote the blossoming of talent.

c. The patriotic and national defense training of the youth is the responsibility of society as a whole. The armed forces should pay particular attention that the preparation for the armed defense of the homeland is coupled with farsightedness and with the promotion of the comprehensive development of the youth in service. They should expand patriotism, internationalism, and the military camaraderie with the armies of the Warsaw Pact.

They should more purposefully utilize the order and organization of the military in strengthening such human traits as tenacity, discipline, reliability and responsibility for society.

d. The institutions of the mass media should deal more with lives of the youth, their work, and the phenomena found in their midst. They should more frequently and more credibly show positive examples. They should counter ambitions that are shallow from an ideological and artistic point of view and have harmful effects. The content of youth journalism and the technical conditions of publication of the MAGYAR IFJUSAG must be upgraded.

e. The party has a determinant role in the shaping, organization, implementation and supervision of youth policy tasks. The organizations and agencies of the

party must bear in mind that socialist conditions do not automatically produce socialist thinking. The youth lacking historical experiences is more vulnerable to the anti-socialist imperialistic propaganda and views foreign to socialism. It is important that the youth be given a credible picture of the process of realization of socialism and the lessons regarding its successes and mistakes so that they become familiar with and master the fundamentals of Marxism-Leninism and will become active participants in the building of socialism.

The communists should be in the forefront of political work with the youth and should set an example. They should take on greater responsibilities for the youth in their families, workplaces, and housing projects. They should convince the youth of the necessity of individual and collective efforts, of maintaining one's position, of struggle so that the value of socialism is not viewed as freedom from problems but rather, as the possibility of the mutual solution of problems. They should make it their personal concern that the worthy among them join the ranks of the party.

The party agencies and organizations should regularly and attentively follow the situation of the youth residing, studying and working in their vicinity and their problems of accommodation to the workplace, founding families and professional continuing education. Let them reach the point where they take youth-related measures into consideration when making political and economic decisions and hold the leaders of the state and social organizations, and the communists working there, accountable for their implementation. They should ensure that the youth receive appropriate representation in the social and political sphere and that on important social issues and matters affecting the situation, lives, and work of the youth, the authorities seek out and genuinely evaluate the opinion of the youth associations.

f. The Hungarian Communist Youth Association [KISZ] plays an essential role in our socialist system. The party's youth organization and the unified political organization of Hungarian youth operates independently as an organization with the political and policy-making direction of the party. However, in practical matters, greater scope must be accorded to the forms of adherence to supervision, persuasion, and example. The directing work of the party organs and organizations should be characterized by discipline, trust and helpfulness toward the proper efforts of the KISZ and by respect for the fraternal criticism and the organizational independence of the youth associations. It is imperative that the KISZ members--especially its leaders and activists--better understand and familiarize themselves with the decisions of the party and the tasks that stem from them. The elected bodies and organizations of the party should involve the KISZ agencies and organizations in the preparation and implementation of their decisions. They should increase the KISZ organizations' independence by the selection of their directors. They should provide support by nominating committed, capable and popular youth to official positions and by supporting multiple nominations.

The main tasks of the Hungarian Communist Youth Association continue to be to propound and represent the policies of the party; to participate in their formulation and implementation; to represent and protect the interests of the youth; and to participate in training the next generation.

The youth association should perform political work more purposefully in the

interest of the youth so that ever increasing numbers of the youth accept socialist ideas, and that they learn of the communist struggles as a part of our national history, of the Hungarian experience of the building of socialism, the disputes accompanying our progress, and the responsibility for the decisions. It should preserve our national traditions, strengthen patriotism and national sentiment, and oppose the manifestations of nationalism. It should contribute to the deepening of understanding and friendship between peoples and the youth of various nationalities. It should organize and mobilize our youth in the spirit of internationalism and international solidarity. It should make known that our nation has found a friend in the Soviet Union and in peoples of the socialist countries and together with them we belong in the forefront of social progress.

The youth association should consistently advocate conduct based on the norms of honor of work, study and knowledge, on the acceptance of responsibility, and on service to the community. It should rely on the initiative spirit of the youth, their receptivity to the new, and based on this, assume a greater role in the building of the economy. It should participate in the efforts directed at accelerating the development of technical and technological progress, reducing production costs and conserving material and energy. It should support the cause of natural and environmental protection and the formation of the correct social viewpoint and conduct regarding this.

The KISZ should participate in care of the solitary elderly and help to improve the situation, further education and independence of endangered youth, the severely disadvantaged, and especially those who are living in foster homes.

An important task of the youth associations is to discover and convey the problems of the youth to the party and state agencies, and to represent and protect their interests. This activity should receive more publicity. The KISZ should work so that the realistic needs of the youth are satisfied and that their proposals are implemented. It should be open and receptive to every question which concerns its membership and the youth. It should devote more energy to solving their problems. In the future it too should participate in organizing useful leisure activities. It should ensure great latitude for the initiatives and independent activity of the youth.

The youth association should pay more attention to the characteristics, interests and ambitions of the youth strata in the development of its programs and types of activities. It should develop its guidance and organizational system. It should stimulate the KISZ organizations to take braver initiatives and expand the legal jurisdiction and authority of the councils located on various levels.

g. The KISZ must work out the ideas regarding the development of future tasks with various age groups and strata of youth; thereafter, the proposals must be presented to the Central Committee.

h. Within the framework of democracy in schools, the operation of local student governments in both high schools and institutes of higher education possessing genuine jurisdiction and suitable resources must be developed. This should enable the student body to participate responsibly and directly in dealing with questions related to their own life and work situations, as

for example, school issues and student meal plans, and should permit a more extensive involvement of the elected representatives of the students in the activities of the directing bodies of the institution, and the establishment and expansion of professional, cultural and sports associations and groups founded on the students' independent initiatives. In accordance with this, the responsibilities and rights of the students within the schools as well as the role of the student governments must be defined in more detail and with more accuracy.

i. The party supports the establishment of youth communities, associations and clubs which work for socially useful goals, and function with the appropriate political guidance and legal supervision, or rather, the formation of youth groups and chapters within professional, scientific and cultural associations. Party and KISZ members should also undertake an active political role in these groups.

Within their organizational framework social organizations and large groups should ensure active participation of youth with various interests. They should develop with them the programs and organizational solutions, youth committees, chapters and groups serving this end. The proportion of youth should be increased in their directing bodies, leading positions, and on the work committees.

j. The content and organization of the state's youth work must be further developed in harmony with the modernization of the state activities and direction. There must be an assurance that youth policy decisions are adequately founded and that it will be possible to hold someone accountable for their implementation. The division of labor among the state agencies and the supervision of control mechanisms must be improved. The responsibility falling on the state agencies for the education of youth, and for improving their study, work and life situations must be enforced. The improvement of youth and student sports, hiking and camping, youth entertainment, as well as the youth working conditions in the residential areas demand special attention in the state's youth work.

We must examine what organizational and substantive changes are necessary on the governmental and councilar levels in the interests of better directing and harmonizing youth policy matters to be handled.

The cultural institutions should ensure suitable work forms for the expression of the professional and cultural independent activity of the youth and for their communal efforts. Self-governing bodies should be established in these institutions which would be invested with the authority to genuinely comment on the ongoing work, the programs and the disbursement of funds.

Sports must be accorded a significantly greater role in the lives of the youth. A task of great urgency is the intensification of the physical preparedness and fitness of the youth--especially the student population. A radical improvement in school physical fitness and student sports, and expansion of its organizational and financial conditions, is indispensable. The primacy of physical education in school and student sports should be asserted in the development and utilization of institutions and in the allocation of the available financial resources.

The student sports organization should mobilize the majority of students. A network of school sport clubs and student sport associations providing access to regular sporting activities must be developed. The responsible state agencies should ensure that staffing, objective and technical requisites necessary for this--including the use of the resources of the sporting associations--are available.

In the interests of developing more widespread youth hiking, nature exploration and mountaineering, the network of inexpensive accommodations--campgrounds and tent parks--must be increased. The appropriate enterprises and institutions must be motivated to become interested in creating the opportunity for mass student hiking and camping by ensuring basic hygienic and sleeping conditions and by loaning equipment.

Society as a whole must do more in the interests of the youth, but the youth must have a sense of responsibility for themselves and society. They must be aware that to a great extent, the development of our socialist homeland, our nation's future, and the formation of our fate depend on their own work and honorable fulfillment of their responsibilities. Therefore, it is our common task to instruct our youth to be more independent, steadfast and industrious, and to accept responsibility for themselves, their future, the nation and socialism.

The Central Committee requests the Council of Ministers and the social organizations to formulate the steps to be taken as a result of the position adopted.

Central Committee Secretary Speech

Budapest PARTELET in Hungarian Nov 84 pp 14-22

[Speech by Karoly Nemeth, MSZMP CC Secretary, member of Presidential Council:
"Youth and Youth Policy"]

[Text] In the proposal we attempted to provide a review of the status of implementation of the 1970 resolution of the Central Committee. The recommendations for further tasks are based on the proven principles of youth policy.

The preparation of the agenda has been in progress for quite some time. The Youth Committee working in conjunction with the Central Committee discussed several important issues affecting the youth, and the state agencies and the KISZ analyzed the experiences gained from their own work. The scientific survey also provided much usable data. We requested the opinions of the Budapest and county party committees, a wide cross-section of party activists, as well as the leaders of social and mass organizations. Tens of thousands expressed their opinions and made suggestions about youth policy and the situation of the youth. The secretaries of the Central Committees of the fraternal parties also discussed the youth situation, the political work conducted in their midst, and the agenda for their conference in Sofia in May of this year. The experiences of the other socialist countries are similar to ours--with the exception of certain specifics.

Our party has always paid attention to the youth. It expresses through its policy and supports with its practical activities the desire to synchronize

the realization of the particular interests of youth with the general interests of society. This is one very important condition for successfully building socialism. It is a great responsibility to correctly evaluate youth and to decide on questions affecting the living and working conditions of the maturing generation since the continuation of our cause is at issue. Let me also immediately add that the youth is not only the future but also the present. Its social role is growing and would be capable of more than it had contributed until now; however, this is not only dependent on them.

A recurring question is what the Hungarian youth is like. We may positively reflect that our youth is fundamentally industrious, talented and educated. The majority identifies with our goals, accepts and finds the domestic practice of building socialism as only natural. Our youth is dependable. However, it is also true that the youth are strongly affected by the contradictions associated with progress, the divergence between what is learned and observed about socialism, and the shortcomings of our work. There is also an increase in the number of those who either continuously or temporarily oppose our basic social values, and violate the laws. These most likely end up among the endangered youth because of objectionable family environments.

We must deal with the concerns of the youth and also with the undesirable phenomena which may be found among certain groups of youth more responsibly. Basically, our responsibilities are determined by the fact that the building of a new society, of necessity, requires the harmonious, continuous cooperation of several generations. The socialist cause must be carried on by our youth. It is our responsibility to ensure that they are prepared for this task.

In our country the growing interest in the youth is generally associated with sensible judgments, a sense of responsibility and a desire to act. However, we may occasionally come across superficial opinions. One encounters the benevolent all-forgiving view, and also the simplistic view which condemns the youth as a whole on the basis of negative phenomena exhibited by certain groups of youth. We encounter the view which considers the manifestations of youth such as criticism and sharp judgments as signs of political opposition, but it also occurs that real tensions and problems are considered merely as functions of age. These simplistic opinions are not helpful in forming a true picture of the youth.

Our Party does not try to disguise the real problems or faults of the youth, but rejects extremist views and unjust generalizations. It takes a stand against a distorted view of the youth, it makes demands and views the youth with trust, understanding and patience. It protects them from extremist views and the practices that stem from them. Thus it protects the youth from those who are impatient, and society from unnecessary tensions. The only possible real basis for judging the youth is how they fulfill their responsibilities, how they live and think, and what they contribute to society.

Nearly fifteen years have passed since the Central Committee of our Party comprehensively analyzed the social niche of the youth, and adopted a position regarding the tasks. During the course of their implementation, favorable processes developed. The principles of the Party's youth policy have become part of public thinking and provide useful guideposts for practical work. The National Assembly, for the first time, set the rights and responsibilities of

the youth as well as the responsibility of all of society for the youth into the law. The party, state, and social organs devoted greater attention to solving the problems relating to the youth.

Our society strives to ensure the opportunities of learning, culture and choice of work and career for the youth and to improve their living conditions in accordance with our level of development and means. Especially heartening is the progress in the educational level of the youth. During the past one and a half decades, the number and proportion of youth graduating from high school, colleges, and vocational schools has increased significantly. Employment opportunities for youth are favorable, although certain imbalances constantly exist between trained personnel and demand for manpower. Numerous steps have been taken in the interests of improving career entry. It is also true that the differences in income of families, family background, education and lifestyle already strongly differentiate the possibilities of career choice and further education of the youth, and the chances of their independently establishing the necessary conditions.

We have done much, but despite the efforts and the undesirable results, we have been unable to create the conditions for the solution of several defined tasks. The youth policy measures were not always adequately built into the basic economic and social party decisions. During implementation, a faulty view gained credence in several issues.

One such view was the unjustified expansion of the concept of youth. A frequent, although not new, issue in the discussion is the meaning of the concept of youth. Perhaps, in truth, it is not even an exact definition which is lacking. Nevertheless, the question must be dealt with because, in essence, who is considered a youth also determines what may be considered a youth problem. Even according to the majority of common knowledge and our laws, an individual who has not yet turned 35 is classified a youth. Nearly half of all active wage earners may be classified in this group. One must reflect whether it is fair to include mature adults who have already been working for 10-15 years among the ranks of the youth. In our opinion, it is not, because this view leads to a situation where we are searching for a special youth problem even when the issue in question is one that affects all of society, e.g., the problems of the wage system. We are all aware that the tensions and contradictions will not be resolved simply because we no longer consider them youth problems. However, we are convinced that the probability of their solution increases if we do not deal with them separately but rather attempt to resolve them within the framework of social, economic and political processes.

The answer to the question "who should be considered a youth" has a practical bearing on the selection of the critical issues of youth policy. It is not necessary to rigidly define the age limits of youth. However, in general, it seems practical to concentrate our efforts in the future on the 14-24 year-old age group, on students in high school and institutions of higher learning, on youth who have been working for 2-3 years and are just starting their careers, and on those starting families. This would permit a more in-depth consideration of the real youth problems, and necessitate that social and mass organizations

devote greater attention to young adults and care more about them.

In our opinion, the education and care of the youth is the task of society as a whole. We must also emphasize the responsibility of youth for society and for themselves. The efforts directed at establishing a better division of labor were only partially successful. A suitable division of labor in the education of youth did not evolve. Genuine change is necessary in this area because various movements and organizations, despite their many useful initiatives, have been unable to develop appropriate activities and organizational frameworks for dealing with the youth. We overemphasized joint responsibility and did not sufficiently mention the responsibilities and tasks of each individual institution. A healthy appropriation of responsibility among society, the family and oneself has not evolved. Nor have we reached the point where politically active youth with different interests are given broad opportunities for action and the building of the community in different areas of life, in mass organizations, in cultural institutions and elsewhere. This also contributed to the fact that ideological and political influences foreign to socialism and our ideals are thriving among certain groups of youth.

Every institution of society must devote suitable attention to the education of youth. The credit and responsibility for the development of the views and behavior of the growing generation is still primarily that of the parental home, the family. In the past few years, much has been said about the family, the problems arising within it and its breakup, the primary casualties of which are the children and youth. We must do more to strengthen the role of the family, its social recognition and the responsibility of parents for the education of their descendants.

In the area of division of labor, great tasks devolve on the state agencies. Shortly after the enactment of the youth law, the organization of state youth work was formed. This means the State Youth Committee and its apparatus, the youth committees operating within the county councils, the youth secretaries, or the youth committees created in the ministries. This organization was primarily created to coordinate and supervise the youth activities of the various state agencies and councils. The theory behind this was that each state agency has its specific task; however, these must be appropriately coordinated in terms of level and form.

The government, ministries, other authorities and the councils have done much for the improvement of the youth situation even under more difficult circumstances. However, we have been unable to make progress on matters falling under the jurisdiction of and in the sphere of activity of national agencies--partly because of economic reasons and partly because of weak guidance. The resources were dispersed, and because of less than adequate coordination, they were inefficiently used or were not allocated to where they were most needed.

First let me mention physical education, mass sports and hiking, areas where despite our resolutions we have been unsuccessful in achieving significant results. The physical fitness of the youth, especially the students, is deteriorating; it falls short of both the requirements and the possibilities. Mass sports and hiking unjustly receive a disproportionately small percentage of the available monies and other resources. This also weakens the basis of

championship sports. The spare-time activities of the youth, above all, the students, is not suitably supervised; the preconditions for this have not been developed. Child and youth protection agencies are struggling with problems; their direction and institutional order is disorganized, their staffs are divided, their financial resources are squandered, and consequently, they operate ineffectively. The number of children and youth struggling with various disturbances of social adaptation is increasing. The activities serving to prevent and contain health-damaging habits which are spreading among the youth are ineffective. All this demonstrates that the synchronization and supervision of the implementation of youth policy activities for the state agencies is not suitable. Precise tasks and spheres of responsibility and jurisdiction conforming to these have not been developed.

A situation must be created in the government administration and the work of the councils where genuine coordination and the harmony of the decisions and the resources necessary for their implementation could be assured, and where a system of accountability could be created for the solution of the more important youth problems. The organizational and administrative conditions for this must be examined and developed. The responsibilities of the government, the various ministries, and other authorities or councils must be increased. The youth work of the state must be placed on sounder foundations by creating the conditions for genuine coordination, by continuously keeping issues on the agenda, and by the more concentrated and sensible use of resources.

Taking into consideration the position adopted by the Central Committee, we feel it is justified that the responsible forums examine and, if need be, modify the youth law and regulations relating to the youth.

An urgent task also demanding action by the state is to demonstrably improve the possibilities of young people starting families to obtain apartments. The type of solution that must be sought is one that will allow young people to set as a realistic goal the acquisition of their first independent apartment within the foreseeable future using their savings. Above all else, the uncertainties and, often time, hopelessness of creating a home must cease. There must be a clarification of the burdens the state will assume and what the youth must solve through their own energies. The unjustified increase in apartment prices must be stopped. A credit and subsidy system which takes into consideration the financial situation of the youth must be developed. The differential increase in state subsidies based on social policy considerations and need is warranted. The system of apartment acquisition by stages must be made operational and the quantity and proportion of rental apartments must be increased. Special attention must be given to solving the housing problems of the youth, primarily in Budapest and in the large cities.

The party has a special responsibility for the education of the youth. In 1905, well before the victory of the revolution, Lenin called the attention of his comrades-in-arms to this fact: "The youth will decide the outcome of the entire struggle...if you are unable to organize and spur them to action, they will follow someone else and because of their inexperience, will cause five times as much harm...They must be educated and disciplined while at work, and not with sermons."

The party committees and organizations dealt with youth policy issues on a more regular basis. But there is still much to do for the work of the party with youth to become more natural and continuous.

The members and organizations of the party must accept a greater role in forming the world view of the youth and in the ideological work. Socialism is the environment of today's youth, but their thinking and conduct do not automatically become socialist. They do not have first-hand observations or experiences either about capitalism or about the first 2-3 decades of the building of socialism. For them, the struggle for power, the first successes of socialism and sudden reversals are already history. Therefore, it is obvious that they compare what they have learned about socialism to its actual practice; they demand to see the ideals embodied in reality. However, what they learned about socialism is often considerably one-sided, cliché, and at times, illusory. The more important lessons, results, and problems of the road travelled, and the conflicts in the building of socialism and the efforts to resolve them are not adequately outlined. The conception of socialism thus arrived at appears to be very simplistic and does not permit suitable opportunities for the youth to discover what must be done by them and the importance of and the opportunities for participation in realizing social tasks.

The youth have become more interested in international and national events and their causes. They too are concerned about the tensions in the world, but their activity in the struggle for peace has also intensified. It must be remembered that one of the main goals of the intensified political and ideological struggle between the two world systems is to win over the youth. Therefore, we must help the youth in orienting so that they come to realize that the main reason of the tension is the arms race pursued by American imperialism, which seeks to gain military superiority vis-a-vis the socialist community. We know that there are some youth who are influenced by bourgeois propaganda and some unqualifiedly accept the western lifestyle. Our task is to disseminate our ideals, combat the harmful influences and expose the enemy's goals.

We must do more so that the youth will, if at all possible, receive unambiguous answers to their questions. It is especially important that they form a realistic view of the processes leading to the realization of socialism and of its past, present and future, so they have a clearer understanding of the results of socialist progress, of our struggles and also of our mistakes. We must unambiguously and clearly discuss with the youth conflicts and difficulties associated with progress and explain that one of the great virtues of socialism lies in common reasoning and in the possibility of jointly solving problems.

While conducting our political work, we must also remember that the Hungarian youth of the 1970's and 1980's is the first such generation of the socialist Hungarian society which, fortunately, did not experience dramatic social upheavals. This fact significantly influences their relationship to our historical past. We must reach a point where the knowledge of the youth about our national history is more comprehensive and deeper; where the youth consciously adopt progressive national traditions; where they see the contradictions of our historical progress and where they feel themselves to be the inheritors of historical continuity.

The work of the KISZ deserves special attention. One could agree with the view often heard in preliminary discussions that it is improper to overestimate the role of KISZ in the implementation of youth policy and to make it responsible for solving every youth issue. Nevertheless, special attention to it is justified since, after all, it is the youth organization of the party.

The KISZ has become an active political factor in our political system since the quarter century ago when it was established. It accepted an active part in our social, economic and political tasks. On the whole, it has operated successfully. It assists in the education of the next generation of the party. Out of every 100 individuals joining the party, 60 are KISZ members, and in general, one of their references is the basic KISZ organization.

In the future, the KISZ will continue to operate independently as an organization with the theoretical and political guidance of the party. Party guidance and organizational independence are two sides of the same coin. The devaluation of either the political guidance or the independence is incorrect. We might also say that KISZ's hands should not be tied; however, neither should they be left entirely to themselves. Unfortunately, both extremes may be found in the actual practice of the party's work. The party's decisions are binding on the youth organization, but their use and implementation based on a consideration of the particular situation is the independent task of youth organization. The party's organs and organizations are acting correctly if they specify the main direction of the work of the youth organization and not when they are specifying the methods and format of the activities. The detailed instructions deprive the youth of independent thinking and the pleasure of creativity and also relieves them of the concomitant responsibility. It is important that party guidance be conducted within the framework of one-to-one comradely relations and should not be characterized by permissiveness and condescension, but rather by a policy of training for self-sufficiency and inclusion in decision-making. Acknowledgment should not be a pat on the back, nor should criticism be harsh, but rather an expression of comradely respect or evaluation.

KISZ must devote greater attention to ensuring that the youth become familiar with the party's policy, its ideals, the experiences of socialist development and its conformity to laws, thereby leading to a better understanding of its current circumstances.

The party expects the youth association to concentrate its attention on promoting socialist relations in work, socialist consciousness, lifestyle and culture and to strengthening the communal spirit. It should resolutely combat phenomena irreconcilable with human dignity, irresponsible conduct regarding parents, children and society, cynicism, and an idle lifestyle. They must also keep in mind that active participation in social activities and work represents the strongest educating force. They may be convinced and trained to enjoy work, above all, by actions pursuing intelligent, attractive goals and designation of tasks, and trust. Therefore the sphere of activity of the KISZ must be expanded and the youth must be included more in handling society's and their own matters. The possible development of creative political activities within KISZ which also accept the possibility of disputes and mistakes must be fostered.

The youth association should nurture national traditions and should make it known that patriotism simultaneously means commitment to our national development on a socialist path, and to the triumphs and results of the last four decades. In the youth, it should strengthen the sense of internationalism toward the Soviet Union and the friendship associated with the peoples of socialist countries, and solidarity with the progressive forces of the world. The 40th anniversary of our country's liberation is approaching. This gives us an opportunity to present by the accurate portrayal of historical facts the successes we have achieved as members of the socialist community and that our nation's fate and the future of the youth are indivisibly tied to that of the socialist countries.

Since its founding, the KISZ has done much to mobilize the youth in solving our social and economic tasks. Another consequence of this is that the performance of socially useful volunteer work is widespread among the youth. During the past one and a half decades, many youths have participated in the socialist work competitions, in the production movements and in sponsorships, and thereby also contributed to the enrichment of our country. The new requirements of our development and our economic tasks require a better use of the energy and ambitions of our young workers. The KISZ should extend support and a firm foundation to the young people who want to make improvements, undertake professional debates and seek new solutions.

In the recent past the interest representative work of the KISZ has expanded significantly. However, we must also mention that many question its interest representative and protective role and tasks. In our judgment, it is important that we discover and find a solution to the problems and contradictions associated with the social accommodation of the youth, the start of their independent lives and family establishment; and the KISZ should also effectively cooperate in this. The youth organization, leaders and activists must be encouraged not only to advocate more consistently and with more initiative the satisfaction of legitimate needs but also to counter unjustified demands. It is necessary to have greater trust and understanding and greater support from the party organizations when the KISZ acts on behalf of the interests of the youth.

During the past decade, the work of the youth association and its formal, bureaucratic nature have received much legitimate criticism. It could be ascertained that in the recent past it has taken progressive steps to strengthen the nature of its workstyle, democratism and mobilization. We have encouraged KISZ to be consistent, to experiment, to be self-motivating, to show initiative and we support its efforts directed toward these ends.

Many have raised the question whether the KISZ as the sole unified political mass movement of the Hungarian youth is able under present-day circumstances to simultaneously do justice to the demands of the party and adult society as well as the various diversified interests of the youth, which are also very differentiated by age and interests. The demands on the youth association are intensified by the fact that a mechanism other than the state and mass movement organization for promoting education, sporting, hiking and the satisfaction of the professional-scientific interests of the youth has not been developed. This contradiction must be rectified.

In the future, the KISZ should remain in the only mass political organization of the youth, but opportunities for the interests, communal efforts and initiatives of the youth must be assured within other frameworks. It is especially important that the social and mass movement organizations improve their youth activities and develop the necessary organizational framework for this.

The KISZ must be able to function comfortably within all the strata of youth and must be very familiar with the situation, problems and ambitions of all age groups and strata. The work performed with working youth, peasant youth, intellectuals, high school students and college students each has its particular characteristics. This places the work of the KISZ with the various strata on center stage--its task of providing programs appropriate to the situation, preparedness and interest of every age group and stratum, and of developing its work forms, methods and guidance systems to the specificities of the strata.

One of the foremost topics of discussion during the preparation of the agenda was the participation of students in movements, or rather, the expansion of the same. The ratio of students in the youth is increasing. Today nearly 95% of students who finish elementary school go on to study in some type of high school; thus for the majority of the youth, their studies and length of student life is 11-12 years. There is also a significant number that continue to study in institutions of higher education for 3-5 years and occasionally 6 years. The student years fall within a period of time during which the most important human character traits are formed. Therefore a great deal depends on the influences affecting the youth during their student days, and as to how these mold them. We could also say that the traits currently characteristic of the youth will shortly make an appearance in the factories, production cooperatives, offices and in general, in every facet of life. Thus the work performed with students represents a responsibility that would be very hard to make up at a later date.

KISZ has always played an important role in the communal and participatory activities of the students. However, the youth association is currently in a contradictory situation vis-a-vis the students. It is a political organization whose function is to recruit purposeful, energetic and prepared youth and--correctly so--it makes demands accordingly, and operates within an organizational framework suited to this. But at the same time, it is also a sport club, a glee club, a study center, a cultural association and many other things, which although not objectionable in a political organization, should not be its main aspect. What is the result? There is considerable confusion and in some places there are diametrically opposed policies with regard to the educational nature, task, and requirements of the KISZ organization. And another thing: 70-80 percent is organization, for which it is obviously not covered in the area of political commitment.

It is in our interest to create a less confusing atmosphere and a more active youth and student movement. Our premise is that the school is only capable of training the youth for social activity, democratization, self-government, self-motivation and socialist communal life if it is also the practice ground for all these and if it molds, develops, and strengthens the traits necessary for this. It is impossible to train someone to have the capacity for self-government, democracy and social activity without giving him the experience of self-government, democracy and social responsibility. This requires schools and an educa-

tional atmosphere in which the youth could think of themselves not only as studnets but also as important members of society, and in which not only proposals and the expression of opinions are permitted but also the possibility of independently deciding and handling matters with total responsibility. A genuine sphere of activity must be ensured for the youth to exercise independence and self-government--naturally a scope and responsibility commensurate with their age. This would also help their studies which naturally will continue to remain their main task in the future.

In "The German Ideology" Karl Marx writes that every new generation "on the one hand continues the activities bequeathed to it in a totally changed environment, and on the other hand, modifies old circumstances with totally new activities."

The present-day Hungarian youth was born into a moderately developed socialist country's genuine circumstances, its pleasures and problems. Their descendants inherited a destroyed country; they were motivated by the desire to terminate the backwardness and exploitation and by the intention of uplifting the nation and creating a socialist homeland. The party now calls on the youth to consummate our socialist relations and catch up to the forefront in the economic sphere by relying on our historical triumphs. It is our responsibility to make the youth aware of their responsibility and to involve them in common reasoning and action. We should permit them the opportunity and the chance to prove that they already consciously accept the responsibility for and are further shaping socialism.

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POLAND

KEY TENETS OF ECONOMIC REFORM CHALLENGED IN PZPR JOURNAL

Warsaw NOWE DROGI in Polish No 12, Dec 84 pp 55-75

[Article by Bronislaw Minc, head of the Department of Political Economy, Main School of Planning and Statistics]

[Excerpts] The economic management system performs a vital role in socialism, that of the organization of social production and its distribution. It defines the terms of operation of the enterprise, the basic cell of the socialist economy, and relations between the enterprise and the state and between the enterprise and other enterprises. Technological progress and economic efficiency depend substantially upon the system of economic management.

Economic management is a socioeconomic institution set up by the state. Its content is defined by the nature of economic relations in conjunction with the development of productive forces. Of course, management is also contingent upon the structure of social forces.

In creating the system of economic management, state organs make a choice between the different possible solutions. Obviously, they are not infallible. The degree to which a management system corresponds to the tasks confronting them depends upon the party's and the state organs' discernment of the potential and the needs of the economy, as well as upon the skill to apply Marxism and the achievements of contemporary economic theory. The definition of the economic management system is complicated by the fact that various scientific views of questions of management and economic development exist.

According to Marxism, productive forces develop more rapidly than economic relations. This results in a tendency for them to come into conflict with one another. On the other hand, economic management relations ought to develop more rapidly than economic relations, since they encompass that part that is linked most closely with productive forces and directly conditions their development. Economic relations are transformed by changes in management relations.

The economic management system may not be imposed on an economy and socialist society, but is subject to discussion, both from the viewpoint of theory and cumulative experience. The entire makeup of this system, including its major principles, is subject to discussion. The view that the existing system

of economic management cannot or should not be questioned, as well as the view that the discussion ought to be limited to secondary questions or details, is not Marxist. We also are aware of the past consequences of prohibiting or restricting discussions of economic management.

Discussion can bring to light the weak aspects or even the errors of an economic management system and it can also point up its soundness. Restricting discussion couches the management system in a hothouse atmosphere and fundamentally reduces the potential for economic development and efficiency.

In conjunction with the ongoing discussion in Poland on the subject of economic reform solutions, I would like to offer my remarks and proposals on several issues.

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The reform established a primary index for enterprises in the form of annual net profit in current prices, i.e., after payment of the income tax. Deductions from profits for enterprise distribution are made for the workforce profit sharing fund, for the development fund and for other funds. Making a part of the enterprise workforce and management emoluments contingent upon annual profit strengthens the short-term character of the established economic mechanism.

The theory and practice of economic management have certain universal methods. Enterprises in developed capitalist countries have amassed tremendous experience in the field of management, likewise developing those factors that are of general significance. Thus, Lenin stressed the application of the experience of capitalist economic organizations, adapted creatively to the conditions of the socialist state.

Contemporary economic theory differentiates enterprises that maximize annual production or sales volume (sales maximizer) from enterprises that maximize annual profit (profit maximizer). It is assumed that today's large enterprises both maximize annual production and aim toward maximizing long-term profit and economic growth.

Princeton University economics professor William J. Baumol laid the foundations for this theory in his statement that modern enterprises in the West maximize annual sales by minimizing annual profit volume.¹

Although this theory is somewhat simplistic, there is no doubt that maximizing annual production brings the enterprise much closer to maximizing long-range results than maximizing annual profits. Maximizing annual production and limiting optimal annual profits with a view toward maximizing long-term profits create more favorable conditions for this.

Relatedly, the following important theses may be devised:

1) enterprises that maximize production utilize production potential to a greater degree and produce more than enterprises that maximize profits,

- 2) the quality of products manufactured by enterprises that maximize production is higher than that of enterprises that maximize profits,
- 3) the assortment of products manufactured by enterprises that maximize production is richer than that of enterprises that maximize profits,
- 4) the profits of enterprises that maximize production are lower than those of enterprises that maximize profits,
- 5) the situation of the purchasers of production is better when production is maximized by enterprises than when their profits are maximized, since this increases the flow of consumer goods to the marketplace and provides a richer assortment and higher quality.

These theses are self-evident and unshakable since they are based on logic. Let us add that Karl Marx already demonstrated that when profit is maximized, a part of production capacity remains unused and a part of society's needs remains unmet.²

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A characteristic of modern economic relations is the great importance of economic institutions. These are systems consciously established by social organs to define the terms of socioeconomic activity. They are used as a basis for the distribution of consumer goods. Economic reforms in socialist countries create and transform economic institutions.

The content of economic institutions is defined primarily, but not exclusively, by economic relations. The kinds and the character of these institutions depend considerably on the subjective actions of people, since they are established by them. Here the skill to apply economic theory plays a vital role in incorporating its development into the contemporary era.

Let us consider the relationship between economic reform in Poland and economic laws, as well as the economic institutions that are created (or rather transformed) by it.

The primary indexes of enterprise activity in People's Poland are short-term, annual indicators. Economic performance indicators of gross output, sold output, added output and net worth, as well as indicators of the production volume of particular items and others, were of this type. Likewise, the major indicator set up for enterprises by the economic reform--net profit--is an annual indicator. This reform mechanism conflicts with basic economic laws, namely the law of the antithesis of profits and wages and the law of the extension of the economic time perspective in the modern age as a result of the development of productive forces.

Adam Smith wrote that "in the price of commodities, the profits of stock constitute a component part altogether different from the wages of labor, and regulated by quite different principles."³ Workers' wages are contingent above all on work volume and intensity, upon the increase in worker productivity.

Profit, on the other hand, is contingent on the volume of capital, the organization of work and technology, the demand and the degree of monopoly and the economic situation. It is the result of many factors within and outside of enterprise control, as well as accidental factors. The antithesis between profit and wages is present in product-monetary relations and, consequently, in the existence of such categories as prices, wages and profit. Thus, it exists in the modern socialist economy. Even when the workforce is very productive, enterprise profits may shape up unfavorably and reversely. Meanwhile, capitalist enterprises in the West, having no indicators issued from above, have extended their time horizons substantially, aiming to maximize profit as a long-term targeted goal. On the other hand, in the economic reform that took effect on 1 January 1982, the economic mechanism is based on annual profit as the primary indicator for enterprises issued from above. In this way, an important new factor has been added that does not exist in capitalist countries, namely, the making contingent of a part of wages on the annual net profit of an enterprise in current prices.

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The control of enterprises by the state administration lies at the basis of the existing management system. This control, effected on the basis of annual indicators issued from above, is relatively simple for the administration. However, it calls forth a series of negative signs in the economy that may be termed the production deformation syndrome. Its basis is the fact that the enterprise determination of its production assortment is subordinated to the highest possible level of the annual primary indicator, on which employee emoluments are contingent in part. As a result, the production assortment manufactured by the enterprise does not meet the demand structure, many demand items are not produced (i.e., the desired varieties and volumes), items that have no market are produced, production costs and prices are relatively high and production is of low quality, turning out products that are generally marked by a low level of engineering.

Production deformation leads to the violation of proportionality in the national economy. The lack of products whose manufacture is inconvenient for enterprises ("it is not profitable") disrupts the flow of consumer goods to the marketplace and robs the economy of the means of production. Coproduction between enterprises particularly suffers as a result of this.

A consequence of production deformation is the considerable reduction of the living standard of the people and a decline in the quality of their life in general. Production for capital spending purposes also undergoes deformation; deformation impacts negatively on economic growth. The impact of production deformation on foreign trade and Poland's balance of payments is very negative. Production innovation, its engineering level and costs are of decisive importance to export; production deformation causes them to shape up unfavorably.

Production deformation is explained by the so-called structure effect, namely that the structure of the composite elements of the overall, aggregate indicator impacts on the total volume of the indicator. There is both the positive and the negative structure effect.

The positive structure effect is comprised of an increase in economic efficiency and the improved satisfaction of society's needs. It conforms with the general interest of society. On the other hand, the negative structure effect causes production deformation and it obviously runs counter to the general interests of society.

Modern enterprises are "multiproduct," manufacturing many different products and varieties of products. They are also multiplant, since they are made up of many organizational units. This increases the scope of the negative structure effect in the selection of production assortment by the enterprise.

When demand exceeds supply, production deformation is encouraged and intensified. However, production in enterprises for which the demand does not exceed the supply is also subject to deformation. Production deformation "pays" for these enterprises as well, since it increases enterprise funds. The very system of economic management brings on production deformation, since enterprises that do not use the negative structure effect then find themselves in a worse situation than others.

Only short-term indicators can serve as instruments of administrative control. This has the very serious consequence of disinclining enterprises to make outlays that will not produce results within the given year and that will reduce the indicator that is the basis for enterprise profits. Obviously, this has a negative impact on production innovation and on technological progress in general, since it requires that outlays be made that will produce results over the long term. It also becomes "unprofitable" to take a calculated risk. As a rule, this is tied in with enterprise pressure to undertake capital spending projects implemented out of the so-called enterprise fund, and especially on the basis of bank credit.

The economic reform system is logically incoherent. It is easier to achieve profit through assortment-price manipulations and the production of products that do not correspond fully to society's needs than through technological progress and cutting costs. Hence the need to appeal to enterprises to act according to the interests of society. However, their own interests prevail, as everyone knows, and the appeals are rarely effective.

At the same time, a method of paying emoluments to enterprise managers has been introduced that is a particularly serious cause of production deformation. Namely, not only is a portion of workforce emoluments contingent upon the volume of annual profit available for distribution, but also the emoluments of enterprise managers and their deputies are contingent upon the volume of workforce profit sharing. Since 1984, bonuses paid out of profits to an enterprise manager may reach four times the amount of profit sharing paid on the average per enterprise employee. This creates a system in which the manager and the entire management staff are interested for material reasons not only in the volume of annual profit but also in the volume of workforce profit sharing.

This puts pressure on enterprise management. Moreover, it is also in the personal interest of management to make net profit and, in turn, both remuneration and bonuses from profits as high as possible. Profit, and thereby remuneration and bonuses from profit, may be increased by worsening production quality and by raising prices in various ways. As a rule, the production assortment that is "convenient" for the enterprise is an assortment that is relatively highly cost-intensive and profit-intensive. The choice of such an assortment is fostered by the monopolistic positions of enterprises, based on a high level of production concentration, on enterprise associations and on the lack of overall market stability and the stability of many specific items. Under such circumstances, the increase in economic efficiency recedes to the background.

In today's world, the management system based on annual profit on which a part of worker emoluments is contingent is anachronistic and augurs the attainment of inferior economic performance. Contemporary economic theory envisages the aim to maximize the long-term effect, a condition for this being not the maximization of annual profit, but its optimization, i.e., to a degree less than maximal. In other words, annual profit should be set at a level that would allow the maximization of the long-term effect. Of course, in accordance with the principle of the maximization of only one major goal, both long-term results and annual profit cannot be maximized at the same time.

Maximized annual profit is calculated in current prices. With inflation (known to characterize economic processes worldwide today), profit (especially annual profit) ceases to be an adequate yardstick of economic effectiveness. High profits may be attained in current prices. However, calculations may be made according to the former value of fixed assets, thereby not depreciating them properly. Moreover, the purchase price of materials whose price may have subsequently increased may be used. Under such a situation, profit may be partly or even totally bogus, and the enterprise even may have suffered a loss.

Contemporary economic theory assumes that when one primary goal is maximized (generally over the long term), various restrictions must also be taken into account (such as limits on demand, labor safety and hygiene and ecology). The primary goal, the various restrictions and the degree of risk must be viewed as a system. Meanwhile, making bonuses and remuneration contingent upon profits causes many vital restrictions to be ignored and places all stress on maximizing annual net profit. As a consequence of this, the economy becomes deformed and distorted; substantial disproportions arise and continue.

The aim to maximize enterprise annual net profit while making bonuses and remuneration contingent upon it engenders an unwillingness to make calculated risks, since this means the possibility that profit, bonuses and remuneration may be reduced during the given year or in the years following. At the same time, this produces a tendency to put the state at risk, often at excessive risk, by making use of excessive subsidies or bank credit. But without risk there is no modern cost effectiveness. Risk is the essence of enterprise and lack of risk tkaing causes irreparable losses, as the last decade clearly showed, especially with regard to investment and licensing decisions.

Officially, a system of two criteria that seemingly concur with each other has arisen. However, this system contains internal inconsistencies. The profit indicator operates much more strongly than the sold production indicator. It is easier to attain profit in current prices than to increase sold production in comparable prices. The benefits tied in with making a profit are greater for the enterprise than the benefits associated with achieving an increase in sold production, especially because enterprise funds are set up on the basis of profit. The fact that the bonuses of the manager and the other members of management are tied in with profit and its distribution also plays a role here. As a result of this, annual profit with all its consequences continues to be the primary indicator for enterprises.

Profit may be made, and even increased, without increasing production, especially by changing production assortments and raising prices accordingly. Profit maximization may also be achieved by somewhat of an increase in production that is lower than the greater possible increase. Then, under a system of two indicators determining an increase in wages, the enterprise obtains the benefits of the implementation of two indicators: profit and production. The use of the sold production indicator in combination with the primary indicator of profit is linked further with the failure to use a part of production capabilities.

One of the essential characteristics of an economic management system is the degree to which it exacerbates or fights inflation. Meanwhile, we are confronted with a wage increase that exceeds the potential for increasing the flow of consumer goods to the market (we shall discuss the problem of capital spending outlays later). This emanates particularly from the maximization of annual profit and the making of a part of workforce and management emoluments contingent on this, as well as from the attendant production deformation. This limits production growth and, consequently, the flow of consumer goods to the market. It also leads to wage increases that are largely unwarranted by the increase in production. Even when profit sharing represents only a few percentage points of the total employee emoluments fund, it is highly inflationary, especially since it is the basis for determining the bonuses of the manager and the other members of the enterprise managerial staff.

According to GUS [Central Office of Statistics] statistics, in 1983, following the estimated elimination of the effect of the price increase, retail sales of goods by units of the socialized economy were about 6 percent higher than in 1982. Under the reform, however, the Central Yearly Plan [CPR] for 1983 set the wage increase for employees of the socialized economy at 16 percent compared with 1982. The actual wage increase was 26.1 percent, or more than 63 percent higher than stipulated in the CPR. Of course, the wage increase stipulated by the CPR and, to an even greater degree, the actual increase had to be covered by inflationary price increases. The rate of inflation in 1983 is estimated at 25 percent.

The major source of inflation in the Polish economy lies in the system of economic management. Taking into account the reform assumptions, the CPR plans wage and price increases. Meanwhile, enterprise workforces, anticipating the real rate of inflation, ask for a wage increase that would compensate

employees for the rate of inflation. Along with the wage increase in the socialized economy, the income of other social groups grows, if in various degrees. Once again it is confirmed that price increases do not cure inflation, but are a sign of inflation and, what's more, exacerbate inflation.

The result is a state of running idle: an enormous part of what is given by an increase in nominal wages is taken away by the increase in prices. Inflation calls forth the already chronic state of economic uncertainty and has a negative impact on all of economic and social life. Paradoxically, relatively high profits and relatively low production are linked together. At the same time, the profits are largely bogus, since they are attended by disinvestment processes in the economy.

Wage and price proportions for 1984 were planned similarly to those of 1983. According to the CPR, average wages in the socialized economy were to increase 17 percent over 1983 wages, retail prices were to increase by 15 or 16 percent and the flow of consumer goods was to increase by 7.2 percent. The latter figure is in constant prices.

The 1985 CPR anticipates an overall increase in retail prices of 12 to 13 percent. It is assumed, however, that only economic units that attain the production results envisaged in the plan will have the necessary funds to continue real wages at their 1984 level. Holding the increase in retail prices at 12 or 13 percent depends upon not overstepping the limits of planned individual earnings.

In 1984, due to the position of trade unions, the increase in official prices was limited and prices set by enterprises were partially frozen. Thus, the "market" mechanism of reform was tied in with the administrative control of prices. This eclectic connection does not eliminate the inflationary nature of the reform, however, but deepens variance and elicits new dangers.

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The establishment of annual net profit as the primary indicator for the enterprise and the basing of bonuses and remuneration upon it leads to the sharpening of variance between the local interests of enterprises and the interest of social in general. Each enterprise tries to attain the highest possible profit in current prices, even at the expense of other enterprises and society. A sort of solidarity arises between a considerable part of workforces, employee self-governments and enterprise managers in defense of parochial interests. This is linked with the deepening of social divisiveness and is expressed in market pressure and in enterprise procurement problems. State intervention is slow and somewhat ineffective; moreover, it brings forth other woes and tensions.

While the elimination of indicators imposed from above with the basic coordination of enterprise goals and the economic system as a whole does not dispel conflicts, it allows them to be set on a course that is desirable from the viewpoint of society as a whole.

If enterprises and enterprise associations are entrusted with the task of meeting consumer needs, while at the same time indicators imposed from above are lifted and the economic time perspective is lengthened, this should lead both to subsector competition and intersubsector competition to meet needs better and to increase the share of enterprises in consumer goods sales. This should be supported by central planning and, more broadly, by the entire economic policy of the state.

Increased inequality among enterprises in the area of the prime funds administered by them is a developmental tendency. Hence the need for the state redistribution of funds. Unless investments are regulated effectively by the economic system as a whole (which requires state redistribution of funds), certain enterprises will have a surplus of capital spending funds and others will have a shortage of funds.

The production divisions of the large corporations of Western countries set current production, but capital spending decisions are made by the central headquarters of the corporation that has a special organ for analyzing draft plans and preparing capital spending recommendations.

The centralization of capital spending decisions is a fundamental tendency. At the same time, capital spending processes in modernday capitalism are uneven and cyclical. This is aggravated by the lack of effective state control. In the socialized economy, the freedom of enterprises to regulate current production and the state regulation of capital spending, along with a substantial increase in the role of enterprises in the field of capital spending as well, would enable enterprise initiative to be linked together with the homogeneous steering of the economic development of the system as a whole.

The state control of capital spending is essential since it alone can ensure (although it does not always have to) the coordinated allocation of limited funds for capital spending in the various fields and enterprises. This necessitates comparing and selecting from the various capital spending projects. At the same time, it is necessary for enterprises to be able to use prime funds fully autonomously to carry out such investments as replacing obsolete machinery and equipment, modernizing production apparatus and making small-scale investments. (Such capital spending projects cannot be implemented effectively based upon the decisionmaking of state organs.) This requires the prior organization of the capital spending process nationwide.

Except for those capital spending projects that fall under the category of enterprise management alone, capital spending projects should be subject to confirmation by the state-social organs appointed for this purpose.

The financing and confirmation of capital spending projects are linked closely with financial relations between the state and enterprises. Under the reform, these relations are primarily one-sided: enterprises produce and sell products and the state collects various types of taxes. The character of these relations must be altered and enterprises that intend to conduct their own appropriate and realistic capital spending projects, projects that serve both

their own interests and the interests of society in general, should have the financial support of the state or state banks.

The following practical solution may be used: from its profits, the enterprise finances those capital spending projects that it is allowed to determine autonomously. Any surplus may be earmarked for other capital spending projects. Wherever possible, the state, primarily using bank credits but also subsidies where advisable, should cover or supplement the capital spending outlays of enterprises that are justified by social interest.

The implementation of a uniform capital spending policy is a field where socialist states have a substantial potential advantage over capitalist states. This should not be ignored.

The lifting of indicators imposed from above, the extension of the economic time perspective and the elimination of the contingency of a part of wages on profits must have a considerable impact on the setting of wages and prices. The part of wages contingent upon profit will increase wages immediately or gradually, proportionately and contingent upon conditions, and this factor will be transformed from an unknown into a known. This will be advantageous not only for the mode of operation of the enterprise, but also for employees.

Meanwhile, an effort should be made to make wage policy uniform, based on the aim to implement the principle of equal pay for equal work. Of course, the need to ensure the influx of employees into fields in which there is a shortage of employees also must be considered. This demands that the differences in working conditions occurring in the various fields and in various enterprises be taken into consideration.

Wages should be set on the basis of collective agreements (both framework agreements and detailed agreements) concluded by enterprises and state organs with trade unions. This factor will help to ensure uniformity in wage policy. Trade unions in enterprises ought to exercise control over working conditions and, on the national scale, they should have a significant voice in all matters related to the distribution of the national income.

In price setting, the costs method, based on adding a profit surcharge to prime costs or the costs of so-called processing, should be broken with radically. With the extension of the economic time perspective and the lifting of the contingency of a part of wages on profits, enterprises will not be so interested in raising prices as they are at present. This should facilitate the setting of prices based on a supply-demand method. Under this method, the interdependence between supply, demand and the set price is taken into consideration, as well as the mutual price ratios for the various goods and the risk factor. In the nature of things, only the use of such a method can lead to an efficient flow of consumer goods to the marketplace.

Since Polish industry is highly concentrated, a large number of enterprises maintain monopolistic positions. Many articles are produced by one or by a very small number of enterprises that thus become monopolies, even though they also produce other items for which they do not hold monopolies.

The "antimonopoly law" will not alter this fact, since the production of many products requires large-scale production and our enterprises, even those that are highly concentrated, frequently produce less than optimal volumes. Market shortages and the surplus of demand over supply create a monopoly-like situation. This even happens when articles are produced by many enterprises. Enterprises that hold monopolies are interested in relatively high prices along with their own incomplete use of their potential for manufacturing goods. Obviously, this is disadvantageous to society. Therefore, the effective control of prices set by enterprises that hold monopolies and enterprises in monopoly-like positions is necessary. This control may assume various forms. I propose control by imposing a duty to notify regarding price increases and the setting of prices for new products. Central and regional state organs should examine the respective announcements. The failure to reply by the set date would mean approval for the implementation of the price increase. On the other hand, the reply should aim to reduce the proposed prices to a level brings the demand volume near to or in line with production potential. The duty of notification regarding price increases will itself incline enterprises to be moderate.

Experience shows that the market cannot absorb certain products and services at highly profitable and, sometimes, even unprofitable prices (an example here is the price fluctuation of services in Poland). Thus, the price system must be tied in with a system of subsidies that, while as limited as possible, is nonetheless indispensable. If such subsidies do not exist, a portion of important social needs will not be able to be met, and certain fields of production and services may fall by the wayside.

The adoption of the previously stated proposals would enable:

- the lifting of restrictions that impede the development of enterprise innovativeness and initiative;
- the effective battling of the negative effects of enterprise monopolies;
- the utilization of the potential of the socialist economic system, particularly in the field of capital spending and technological progress.

FOOTNOTES

1. W. J. Baumol, "Economic Theory and Operations Analysis," London, 1962.
2. See: K. Marx, "Das Kapital," Vol 3, part 1, Warsaw 1957, p 278.
3. Adam Smith, "An Inquiry Into the Nature and Causes of the Wealth of Nations," Vol 1, Warsaw 1954, p 64.

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POLAND

SCHAFF'S VIEW OF COMMUNIST TAKEOVER IN 1944-1948 DISPUTED

Warsaw NOWE DROGI in Polish No 1, Jan 85 pp 126-140

[Article by Bronislaw Pasierb: "From the Theory of the Socialist Revolution"]

[Excerpts] Discoursing on the nature and meaning of revolutionary transformations in Poland on the 40th anniversary of the Polish People's Republic may seem strange and suggest that this concerns merely initiating an academic debate. For is there anything novel to be said on this subject considering that both the Marxist science of history and the science of jurisprudence and government, as well as other humanist sciences, have so often and so representatively expressed their opinions on the subject? Besides, it is not only the centers of Polish Marxist thought but also those of the neighboring countries, chiefly the representatives of Soviet science, that are successfully analyzing the subject of revolutionary transformations following World War II. For this is a cardinal subject. Cardinal in particular with respect to its universal and common aspects as well as to its specific aspects, both in the theory and practice of politics.

The knowledge accumulated over the years on the processes of socialist construction yields a growing number of new observations and experiences. It also encompasses the four decades of Polish experience in the difficult cause of building socialism in our country. This experience is varied, rich and complex, just as the transformations and the building of the new system of society have been varied, rich and complex.

At present the conclusions ensuing from this experience to political practice, as well as to reflections on theory, are particularly valuable. For we are experiencing the most radical turning point in our postwar history. All the deficiencies and flaws in building the new system have revealed themselves. At the same time, transformations worthy of a historical era have occurred in every domain of life of the state and the nation. This cannot be denied. Unfortunately, in this respect the feelings of the society are different. This

is not just a result of the shortcomings brought to light by the crisis of 1980. The struggle undertaken in connection with and against the background of that crisis by the political enemy has caused a deep devastation in the sphere of historical awareness. And that precisely is the domain of political struggle which plays "such a farreaching role in the whole of the national consciousness of Poles" (M. Orzechowski, "Historical Awareness as a Plane of Ideological Struggle," in "I Ogólnopolska partyjna konferencja ideologiczno-teoretyczna" [The First All-Polish Party Conference on Ideology and Theory], Warsaw, 1982, pp 75-105).

The object of special attacks by all the hostile forces is now the genesis of Third Independence [i.e., of the third period of Polish statehood following the partition of Poland until World War I and the Nazi occupation until 1945], the nature and meaning of the socialist transformations undergone by this country following World War II, and the attendant accomplishments. This still involves a great many important, ideologically portentous, unclear and myth-encrusted topics which require a scientific reexamination or only an ordering or simply only a reminder. Such topics include, contrary to what might be inferred from a review of the scientific literature, the nature and meaning of revolutionary transformations in Poland following World War II. This is a portentous topic that has been frequently considered, both in the past and at present. It is particularly applicable at present, now that we intend to redefine a stage in the development of our country, a historical stage during which the nation has been living and working.

I would like to examine this subject so as to join in its growing discussion among our academic community and in serious periodicals. A common feature of that discussion is reviewing the state of our knowledge on the social processes that underlay the crisis in the [beginning of the] 1980's. In particular, we are diligently exploring the "traces of socialism in Poland," as such discussions have been astutely termed by Prof J. Muszynski (J. Muszynski, "Have the Principles of Socialism Been Attained in the PRL [Polish People's Republic]?" PROBLEMY MARKSIZMU-LENINIZMU, No 3-4, 1983, pp 124-155).

But other issues, too, that have been raised in the weeklies ARGUMENTY, POLITYKA, TU I TERAZ, STUDIA FILOZOFICZNE and, most recently, PROBLEMY MARKSIZMU-LENINIZMU, deserve an attentive consideration. The problems of the state of and threat to the political awareness of the Polish society, the sources and circumstances of our deficiencies and shortcomings in the domain of Marxism-Leninism, and the identification of remedial measures--all this points to a favorable revival of Marxist critical thought in our country. This trend of creative discussions is indispensable in view of both the needs of our science and ideological and educational considerations.

The diversity of orientations of the discussions and polemics is readily seen, however. They were first initiated by the party at the All-Polish Conference on Ideology and Theory. That conference presented the actual state of the party's awareness and ideological tergiversations, attempting to define tasks for all the elements of the ideological front. And this is a discussion trend that continues and shall continue, comprising both the theory and practice of socialism-building, its past, and present-day transformations. (Cf. A.

Lopatka, "The Current Development Stage of the PRL," IDEOLOGIA I POLITYKA, No 5-6, 1983; A. Bodnar, "Between History and Doctrine," PROBLEMY MARKSIZMU-LENINIZMU, No 1, 1984; S. Cieniawa, "Accomplishments, Perils, Expectations," Ibid., pp 76-86; J. J. Wiatr, "Obecny etap i perspektywy budownictwa socjalistycznego w Polsce" [The Current Stage and Prospects of Socialism-Building in Poland], [Ibid.,] pp 87-99).

A different discussion trend, no less portentous and unfortunately not the only one, has been initiated and pursued by the political enemy. Under the guise of high sounding slogans, raucously and on announcing "revelations," a frontal attack has been undertaken in principle against, above all, the accomplishments of the countries of so-called real socialism, deriding the efforts of nations which supposedly undertook Sisyphean labors. In the case of Poland these labors were allegedly undertaken contrary to the good advice of many enlightened Marxists whose contributions were concealed from the society. The author of this conclusion also employs an unorthodox technique in presenting these complex aspects of the contemporary communist and worker movement and, against this background, also the causes of the shortcomings of his native Polish home, in a manner that is provoking and at the same time cynical. We readily recognize the return of the old dogmatist who has now adopted the pose of an arbiter in pointing to the causes of our defeats while at the same time proposing ways of overcoming them. A. Schaff--for this is the person of whom we are speaking--commented as follows in his "Spor o zagadnienie moralnosci" [A Dispute on the Problem of Morality] in 1958: "There is no thesis of Marxist theory that could withstand facts, if these controvert it. The revision or even total repudiation of such theses, when it becomes necessary, /following a thorough examination of facts/ (my emphasis--B.P.), is a requirement for creatively interpreted Marxism. Any other approach would be characteristic of dogmatism" (A. Schaff, "Spor o zagadnienie moralnosci," Warsaw, 1958, p 30).

And hence a creative interpretation of Marxism requires a thorough consideration of facts. Yet Schaff's /revelations/ [emphasized] imply something different (Cf. "Die kommunistische Bewegung am Scheideweg" [The Communist Movement at a Crossroads], Europaverlag, Vienna, 1982, and in particular the so-called "Polish Lessons." Cf. also, and above all, M. Orzechowski's polemic in "Spor o marksistowska teorie rewolucji" [The Dispute on the Marxist Theory of the Revolution], Ksiazka i Wiedza, Warsaw, 1984).

I do not intend to engage in a verbal skirmish with that philosopher. I leave it to representatives of the Polish school of philosophy, who, somehow strangely, are ignoring this subject.

But I wish to engage in a polemic with Schaff /precisely about facts/ [emphasized], particularly concerning the so-called genetic Polish syndrome (Cf. "Three Against One," an interview with A. Schaff entitled "I Think That I Saved Face," ZDANIE, No 4, 1983).

Thus, I wish to consider the genesis of Third Independence and certain facts from our modern history which determined the nature and meaning of the revolutionary transformations in Poland following World War II.

I am doing this not chiefly for the sake of polemicizing with Schaff but with a thought to the proponents of his way of thinking who not only question the accomplishments of the 40 years of People's Poland but also claim that the Polish transformations did not grow out of our native soil but were inspired by alien influences, failed to gain the consensus of Poles and were enforced by the ideological ally, the USSR, and its armed arm.

A thorough consideration of facts is a prerequisite for the accuracy of any judgment or assessment. It is only from facts that conclusions can be drawn for the future, and it is to facts that social expectations of improved effects of socialism-building in our country are linked.

What determined the nature and meaning of revolutionary transformations in Poland at the dawn of Third Independence?

Answering the question thus posed is difficult and complicated. The process of revolutionary transformations in Poland, which was initiated already during the Hitlerite occupation and continued and developed after that occupation had ended, has many elements in common with the revolutionary process experienced elsewhere in Europe following the defeat of fascism. It was yet another major breach in the capitalist system. At the first postwar all-party conference the secretary general of the PPR [Polish Worker Party], W. Gomulka, declared: "The world has entered upon the broad highway of people's democracy, a democracy of a new type, unlike that which had existed before the war." The prime mover of this democracy is, in Gomulka's opinion, "The working class, headed by the consistently Marxist parties" (W. Gomulka-"Wieslaw", "W walce o demokracje ludowa. Artykuly i przemowienia" [In the Struggle for People's Democracy. Articles and Speeches], Vol 1, 1947, p 104). This was common to these transformations. Yet also this process contained a great many uniquely Polish national aspects. On the occasion of the 40th anniversary of the October Revolution, W. Gomulka commented: "So far as the Polish nation is concerned, aside from other factors, a particular feature of the Polish society, shaped by our history, by its centuries-long slavery and by the oppression of the partitioning powers, is its special sensitivity on the subject of the independence and sovereignty of our country" (W. Gomulka, "Z kart naszej historii" [From the Annals of Our History], Warsaw, 1969, p 260).

Hence we should perceive the interdependence of these two aspects of an inherently uniform revolutionary process: universal laws combined with unique national features, because this question has been focus of disputes of varying intensity throughout the history of the Polish worker movement, and particularly in its last few years.

Thus, if the question of the nature and meaning of revolutionary transformations in Poland following World War II is to be answered, the criteria for determining that nature have to be explicitly defined. It is customary to include among these criteria, first of all, the /nature of the rule/ [emphasized] that emerges from the revolutionary process. This is besides a central problem: which social class is in power and against whom? It is always this that lays the foundations for subsequent revolutionary

transformations. The second criterion is the /tasks/ [emphasized/ that those now in power undertake, and in behalf of the interests of which classes as well as against whom are these tasks mainly intended.

Lastly, the third and unusually important determinant of revolutionary processes remains the /motive power/ [emphasized] of the revolution. This criterion includes the cognition of the alignment of class forces and political forces, and above all the leader of revolutionary transformations, i.e., the working class and its political vanguard, i.e., the party. The manner in which allies are gained, chiefly in the countryside [i.e., the peasantry], is essential. Also important are the problems of the social cost of the revolution, that is, the choice of solutions that optimally promote the development, deepening and, finally, accomplishment of the revolution.

These are fundamental, though not the sole, criteria determining the nature of revolutionary processes. They have engendered those lengthy debates and polemics that have from the outset accompanied the revolutionary worker movement, on subjects such as the nature of power and especially the kind of power called into being by the revolution in general and, e.g., the people's democratic revolution in particular. This in turn was to determine under what kind of revolutionary upheaval was that power to be classified: under a socialist revolution, a bourgeois-democratic revolution or perhaps something in between the social upheavals known so far.

The experience of historic upheavals, and chiefly of the victory of the Bolshevik Revolution, points to the existence of the law that socialist transformations generate dictatorship of the proletariat, meaning the seizure of power by the working class. Regarding the topic "dictatorship of the proletariat," a broad variety of views exists. I will not go here into details of reflections of theory nor present the views that have already been offered (Cf. "Rewolucja i wladza ludowa w krajach europejskich 1944-1948" [The Revolution and People's Rule in European Countries, 1944-1948], Warsaw, 1972; "Iz istorii narodnodemokraticeskikh i sotsyialisticheskikh revolutsiy v stranakh tsentralnoy i yugovostochnoy Yevropy" [From the History of National-Democratic and Socialist Revolutions in Countries of Central and Southeastern Europe], Moscow, 1977; R. Droba, "Rewolucja demokratyczna a rewolucja socjalistyczna" [The Democratic Revolution and the Socialist Revolution], Warsaw, 1977).

It is significant that in the course of these discussions the more the detailed studies of the 1944-1948 period of revolutionary transformations multiply, and the deeper our knowledge of both the conditions and the manifestations and stages of development, the more difficult it becomes to evaluate unambiguously these complex questions. (For reviews of Polish positions on this matter, see I. S. Jazborowska, "On the Nature and Stages of the Revolutionary Process in Poland During 1944-1948," VOPROSY ISTORII, No 12, 1973; as well as W. Gorá and J. W. Golebiowski, "Nature and Stages of the People's Revolution in Poland, typescript, p 36; H. Slabek, "The Polish Revolution: Development Stages and Nature," typescript, p 84.) This is chiefly because, I believe, discussions that deviate from factual material become theoretical. For this reason, too, a return to the sources appears fully

justified. After all, in general, there are no laws governing "the transition to socialism as well as laws of social development--they never and nowhere exist in the form of pure abstractions but always and everywhere acquire a concretely historical form. Facts demonstrate that the road of every individual country to socialism is determined by its particular historical conditions and the particular alignment of the class forces, both on the scale of our country and on the world scale" (W. Gomulka, "W czterdziestolecie Października" [On the 40th Anniversary of the October Revolution], Ibid., p 259). Hence, it is my intention to consider the facts and present an analysis of factual material pointing to revolutionary transformations in our country with allowance for the basic criteria of that process as adopted above.

The factual material on the revolutionary transformations occurring during 1944-1948 warrants formulating certain overall assessments and conclusions regarding the nature and meaning of the revolutionary process in Poland at the onset of Third Independence.

a. The general laws of the transition from capitalism to socialism require a /transitional/ [emphasized] period during which the state already is a state of dictatorship of the proletariat. This general law does not conflict with the variety of paths of achieving socialism. Lenin wrote: "There is nothing more confining from the standpoint of theory and ludicrous from the standpoint of practice than painting the future in this respect with a monotonous drab color 'in the name of historical materialism'" (V. I. Lenin, "Works," Vol 23, p 67).

Analysis of our reflections on the unique features of the Polish revolutionary process and the nature of the state of people's democracy points to the validity of the thesis favoring Lenin's theory of the transition from the democratic revolution to the socialist revolution. Lenin championed the "incessant revolution," the transition to the socialist revolution in measure with the /strength of the proletariat/ [emphasized]. The transition idea presupposes the hegemony of the proletariat in the democratic revolution, which is the basis for Lenin's idea of the "transition" or, as some say, "penetration" or "further development of the revolution." The hegemony-exercising working class acts as a kind of lever assuring the incessant duration of the revolution and gradually approaching the accomplishment of increasingly more radical tasks, the creation of conditions for the victory of the socialist revolution.

b. The revolutionary process, which began in our country on the wave of the antifascist national-liberation struggle, has gradually undergone a transition to the socialist revolution. The continuity of this process and its uniform nature consisted in that the strategic aims outlined by Polish communists while still in the wartime have not changed. These aims were to lead to socialist transformations through democratic transformations. To this progressive process, which commenced in July 1944, there was no alternative. The takeover of power by the progressive forces, under favorable external conditions, conclusively determined the direction of the transformations. The manner and pace of these transformations were debatable. Of course, the manner in which the revolutionary camp would resolve in its favor the problem of

power was not unimportant. Thus, a particular feature of the Polish revolution was, it appears, that it was a "revolution in the majesty of the law," which took into account certain rules of the political game, traditions and the international situation, with the constant aim always being to win over a majority of the society.

However, the adoption of the thesis of the "transition" does not in itself explain anything unless we define the nature of the ideological-democratic revolution: was it of a bourgeois-democratic or a coalition nature, or was it a revolution of a new type? Can the stages of democratic and socialist tasks, respectively, be clearly distinguished in that revolution? Science, and not only Polish science, has, as mentioned previously, attempted to answer these questions. S. Zawadzki considers the people's-democratic revolution as something intermediate. In principle, this view has to be accepted, on qualifying it in the sense that it was not a new type of revolution but rather a /revolutionary stage/ [emphasized] in which, as a consequence of existing sociohistorical conditions, certain interpenetrating elements and goals of the democratic and socialist revolutions have concentrated. Such reasoning is also confirmed by A. P. Butenko, who defines the people's-democratic revolution as a revolutionary stage preceding the socialist revolution, preparing it and serving as its point of departure: "This is a specific, narrowly conceived revolution or revolutionary stage which, in the era of imperialism, in times of fascism's reign, gained its right to exist and became a historical necessity" (A. P. Butenko, "Sotsializm kak obshchestvennyy stroy" [Socialism as a System of Society], Moscow, 1974, p 94).

c. The Polish revolutionary process is distinguished by the fact that it has subordinated all its tasks to the aims of socialism-building, and that the manner in which these tasks were materialized has assured the dialectical unity of democratic and socialist tasks. Analysis of these processes can reveal that the intertwining of tasks of the democratic and socialist revolutions is also a feature distinguishing the process of transformations in Poland during the years 1944-1948.

d. The revolutionary process in Poland was borne aloft by the surge of victories over fascism. That was not just a military but also a political victory and a period of offensive by the democratic forces. This situation /facilitated/ [emphasized] for the revolutionary forces the commencement of the struggle for power. This was exploited by the PPR, which translated this possibility into reality.

e. During the initial period of building the people's democratic system in the years 1944-1947 the related tasks were of interest not only to the proletariat and the peasantry but also to the petty bourgeoisie, and even to the middle-class bourgeoisie, which also had been affected by the [German] occupier's policy. This resulted in that, among other things, the PPR settled upon a form of organizing the nation which enabled it to unite all democratic forces of the nation under the direction of the working class. This was the concept of the /national front/ [emphasized]. Its basic task was to overcome the fragmentation of the Polish worker movement, eliminate schismatic tendencies within the PPS [Polish Socialist Party] and achieve rapprochement

with the peasantry as an ally. All this took place under actual slogans of independence and a new people's democracy.

f. The type of state that arose owing to the takeover of power corresponded to the nature of the transformations being accomplished. The new democratic state was not, as A. P. Butenko notes, an organ of democratic dictatorship of the bourgeoisie when considered from the class standpoint, but neither was it as yet an organ of socialist dictatorship of the proletariat. It was a type of state whose nature was the dictatorship of a number of classes, that is, democratic power of the working class, the peasants and the petty bourgeoisie, based on the alliance of workers and peasants, with the proletariat exercising the hegemony.

g. The revolution in Poland took place "in the majesty of the law," on preserving the necessary continuity as regards not only the legal forms of symbols but also the state institutions themselves (Cf. F. Ryszka, "Ideological-Political Foundations of Transformations," in: "Polska Ludowa 1944-1950" [People's Poland 1944-1950], Ossolineum, 1974). New forms of power also were being developed, while at the same time old forms were filled with a new content. It was possible to set up relatively rapidly a new apparatus of power, although cadre problems were particularly difficult. The proletarian nature of the army, the security apparatus and the people's militia is a fact. All this, however, did not mean an absolute predominance of the PPR in the administrative machinery.

It must be stated that the resulting people's democratic state was the pillar on which rested the developing revolution; it was an instrument of national and social liberation and, at the same time, of the social revolution (Cf. "Tezy na 30-lecie Polski Ludowej" [Theses on the 30th Anniversary of People's Poland]).

h. In the economic sphere, too, far-reaching transformations were accomplished. In Poland, with its obvious feudal relics, democratic tasks predominated during the first stage, and their solution was of a new nature. They were materialized under the direction of the working class and directed chiefly against fascism and imperialism, and that was why they greatly transcended the tasks of the antifeudal and bourgeois-democratic revolution. Many aspects of these transformations signifying a step forward to socialism can be stressed. The transformations were directed by the working class, and people's rule was based on the worker-peasant alliance, and all this taken together hastened the transition from the struggle for democracy to the struggle for socialism.

i. The manner of accomplishing the agrarian reform was a fundamental question to the revolution. On the one hand, this was a question of [gaining] an ally [the peasantry as an ally of the working class] and on the other it concerned indispensable changes in the economic structure of the countryside. The reform was conducted, following an [initial] unsuccessful attempt, legally as well as on the revolutionary path, with the participation of workers, peasants and the army, that is, both from the "top" and under explicit pressure from the "bottom." The implementation of the agrarian reform and, subsequently, the

settlement of the Recovered [Western] Territories entailed an acute class struggle. Under Polish conditions this meant not only a contest with the indigenous bourgeoisie but also and primarily preventing its further development. The agrarian reform was carried out under the slogan, "Land for Those Who Till It."

This was accompanied by the takeover of basic branches of the national economy. That was, on the one hand, also a socialist act as such, since the state appropriated these branches of the economy, while on the other hand the nationalization was directed against capitalism in general, but mainly against fascism and against the indigenous bourgeoisie. The manner in which it was conducted led directly to socialist transformations.

Direct transition to socialist tasks commenced in principle following the electoral victory. It manifested itself in various ways, but primarily in the manner in which the leading role of the working class was reinforced and the worker-peasant alliance, the educational system, etc., were filled with a new content. This transition was marked, unfortunately, by all the deficiencies of the period that manifested themselves in the contemporary political life of the socialist community and were chiefly caused by the war threat.

The years 1944-1956 still require much further research before the processes then occurring in the life of the state and the nation can be further elucidated and described more objectively and accurately.

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POLAND

CONTRADICTION BETWEEN SOCIALISM, TRADE-UNIONISM INTERPRETED

Warsaw NOWE DROGI in Polish No 1, Jan 85 pp 112-125

[Article by Ryszard Botwina: "Concerning Problems of Social Contradictions" under the rubric "Problems--Discussions"]

[Excerpts] /The most important problem reduces to the question: what is the nature of the awareness of the working class that grows elementally in the course of socialism-building?/ [emphasized]

Let us commence by presenting W. Wesolowski's position on this matter. He comments: "Lenin formulated the classic concept of two types of awareness of the working class: trade-unionist awareness and socialist awareness, bearing in mind chiefly two different 'levels' of that awareness and elaborating certain suggestions of Marx on this subject. The question could be considered whether an analogous typology should not be created with respect to the working class in the socialist system of society. At first glance, such an analogy might seem attractive and not groundless. After all, in our society, too, not all workers have a Marxist class awareness and many are concerned only with matters relating to improvements in their living standards. A deeper consideration, however, warrants the conclusion that any such eventual typology would substantially differ from that proposed by Lenin for the period of capitalism."/1/

The principal argument demolishing the applicability of Lenin's distinction under socialism is, to W. Wesolowski, the fact that at present (beginning with the 1960's) the formative process of the working class is no longer the same as it had been in the past. "The new workers joining the class have for the most part been graduated from basic vocational schools, that is, are the products of the socialist system of education and upbringing. Comparing them with the working class forming under capitalism no longer makes sense."/2/ This is also justified by the following claim: "The desire to satisfy material wants under our system has a different sense than under capitalism. It does

not mean relinquishing action to promote the socialist system but, on the contrary, can be closely linked to such actions. In Lenin's typology the purely economic orientation was linked to lack of understanding of the basic mechanisms governing the economy (the production of surplus value), whereas under socialism economic orientation, even when it is purely consumption-oriented, can be--and is--linked to a full understanding of the operating mechanisms of the socialist economy."/3/ On the basis of these arguments the author concludes that any eventual corresponding typology would differ markedly from that proposed by Lenin for the period of capitalism. This conclusion is to some extent acceptable, because the nature of that awareness under socialism is of a certainty not identical with that under capitalism.

However, the proposals for supplanting Lenin's typology and the arguments presented by W. Wesolowski which in effect are to indicate that Lenin's observations are an anachronism, evoke reservations. Let me start by considering the proposal advanced by W. Wesolowski. He proceeds from the premise that Lenin's typology applied to two phases, one lower and superficial and the other higher and deeper, of the development of worker awareness. His conclusion is probably suggested to him by Lenin's comments in "What Is To Be Done?" to which he refers, namely, that "The factor essentially reduces to a rudimentary form of awareness."/4/ Earlier, as we recall, he mentioned that trade-unionist awareness and socialist awareness are two levels of the awareness of the working class. But positing the matter thus is not valid, because to Lenin these two forms of awareness do not mean two different levels of the same awareness but rather two different awarenesses, which are distinguished by their class nature. This is demonstrated by the fact that, in "What Is To Be Done?", Lenin distinctly states that, so far as its nature is concerned, trade-unionist awareness is a form of bourgeois awareness whose elemental nature denotes precisely the unawareness of the irreconcilable contradiction between the interests of the working class and the entire contemporary political and social system./5/ And hence we are dealing not with two different levels of the same awareness but with two different kinds of awareness, of which the trade-unionist kind is a nonsocialist, bourgeois awareness, even though it is linked to the worker movement.

But as for W. Wesolowski, he attempts to regard the matter in terms of (lower and higher) levels of the same awareness. Hence ensues the reasoning underlying his proposition, since he states: "What should be regarded under our conditions as a higher type of class awareness should, in my opinion, relate to: 1) a higher degree (rather than a different quality) of knowledge of socioeconomic mechanisms; 2) greater political commitment to economic development and social progress; 3) greater general-social and individual aspirations."/6/ Wesolowski characterizes as follows the first of these two levels of awareness of the working class: "activist, prosocial, rich in aspirations," whereas of the second, less developed level he says that it is "more passive, rather egocentric, more narrowly directed, poorer in aspirations." /7/ Thus they are to be two types of class awareness which do not differ qualitatively in nature but differ merely in degree of intensity on the scale of activist versus passive, prosocial versus egocentric and richer versus poorer in aspirations.

As a consequence, the differentiation of awareness proposed by Wesolowski does not reflect, by contrast with the typology developed by Lenin, the distance separating the elementally evolved awareness of the working class (trade-unionist awareness) from socialist awareness, but instead constitutes an internal division of socialist awareness. This also ensues to some extent from the fact that, basing himself on the above arguments, Wesolowski assumes that socialist awareness may grow elementally in the course of socialism-building. This surely accounts for such a differentiation, based on such classless terms, which fit more the thesis of the moral-political unity of the nation and the period of mature socialism than the transition period which People's Poland underwent and still is undergoing.

In terms of Polish conditions, it can be quite concisely shown /8/ that the arguments used by Wesolowski to defend his concept and discredit Lenin's typology are, to say the least, unconvincing. This is because, first, as late as in the mid-1970's about one-half of all workers had still grown up in the countryside till age 14, with one-fourth still residing in the countryside and concurrently operating small farms (peasants-workers). Secondly, his argument that the working class received a socialist upbringing and education in vocational schools is based on the a priori assumption that the youth in these schools learned about Marxism and accordingly acquired a corresponding political awareness. In reality, however, the curriculums of vocational schools lacked courses in Marxism (and did not even include propaedeutics of social science and history).

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An attentive consideration of elemental demonstrations by the working class in the course of socialism-building reveals that most often they have been linked to trade-unionist awareness. For example, it can be shown that the August [1980, Solidarity] demonstrations in this country were exactly of this nature, as reflected most spectacularly in the postulate, advanced spontaneously by the striking workforces, for raising the base pay of all workers by 2,000 zlotys monthly as a compensation for the price rises so far, as well as by the entire gamut of other back claims. In addition to claims of this kind, there were the demands for participation by at least 50 percent of workers in all power, curtailment of the term of party offices, etc. The strikes occurred generally in accord with the Szczecin Shipyard's slogan, "Socialism Yes, Distortions No." Thus, on the one hand, these events reflected trade-unionist awareness, which prefers shortterm advantages over the longterm goals of the working class, which in effect recoiled on the workers themselves by resulting in rising prices and a growing inflation that lowered the living standards. After all, ultimately, most of the spectacular protest actions of Solidarity concerned the immediate interests of the working class such as Saturdays off, wage increases, branch pay schedules, etc. Here, certain figures are worth quoting: Altogether, the increases in wages and monetary social services totaled about 300 billion zlotys on the annual scale, and toward the end of 1981 work on drafts of 23 branch pay schedules reached various stages of advancement (the pressure was chiefly on raising base pay and regular pay allowances, which promoted an increase in wages without a concomitant increase in labor productivity). On the other hand, these elemental demonstrations can

be regarded as a rudiment of socialist awareness as reflected in that, by negating the previous practice of socialism-building, the working class constituted an element promoting changes and a motive power for developing socialism.

However, elemental demonstrations by the working class in the course of socialism-building express socialist awareness only insofar as they constitute an element of the organizing role of the working class, insofar as they represent an attempt by workers to take over the management of production and the governing of the state. They constituted a rudiment of socialist awareness, because they prompted the working class to transcend the previous schema that had been sanctioned by the working class and initiated by the bureaucracy--the schema of the functioning of the working class solely as a source of manpower. The reactionary nature of trade unions revealed itself, as exemplified by Solidarity, with respect to, of course, the party (which at the 9th Congress had formulated a program for the defense of socialism) with particular strength at the program presented at the First National Congress [of Solidarity], at which it was explicitly stated: "We shall strive to both restructure the state and create and support independent and self-governing institutions in every domain of social life," which in practice signified the abandonment of the socialist nature of the state and the legalization of all forms of oppositionist activity. This approach was affirmed in the decisions of 11 and 12 December 1981 of the National [Solidarity] Commission, which laid the foundations for taking over power in work establishments and representative bodies of the state. All this aside from the fact that the Solidarity program made no mention of socialism, not even by name, which in itself is an intriguing aspect of these supposedly class-oriented trade unions. Its reactionary nature becomes completely revealed only when compared with the proposal to defend socialism contained in the resolution of the 9th PZPR Congress, which directly states that the party is opposed to "all ideological, political and economic concepts intended to divert Poland from the road to socialism." Ultimately it was precisely the party that took resolute measures in December 1981 at a moment when socialism had been directly threatened. Another affirmation of the, despite everything, petty bourgeois nature of Solidarity was the fact that, according to the report of the KKP [National Consultative Commission] at the First Congress, it had committed itself extensively to providing all kinds of aid, including financial aid, to the newly forming Private Farmers' NSZZ [Independent Self-Governing Trade Unions] Solidarity.

An interesting aspect of the differences between the awareness promoted by Solidarity and that promoted by the party could be the fact that even the fight against the evils, including pilferage and abuses, that had accumulated during the 1970's points to the typically petty bourgeois nature of the movement canalized within Solidarity. Namely, Solidarity and its members demanded, justly besides, the punishment of abuses by prominent party and government officials, but they did not criticize at all private owners and speculators dishonestly amassing personal fortunes. That criticism was initiated only by the party grassroots after martial law had already been imposed, not to mention the fact that the anti-parasitism decree had also been promulgated under pressure by party grassroots. In this respect, too, trade

unions demonstrated their somewhat reactionary nature as compared with the party, which, while supporting the idea that former prominent party and government officials be made accountable for their misdeeds, did not overlook control over the nonsocialist sector of the economy. Another instance reflecting the fact that Solidarity functioned within the structure of trade-unionist awareness, which was of a petty bourgeois nature, was the famous proposal for "social enterprises" offered by the "Network." That proposal reflected tendencies toward a petty bourgeois socialism, because it demanded that state ownership of enterprises, including educational institutions, service organizations, etc., be transformed into group ownership by their employees.

In this place it is worthwhile to ponder why Solidarity met precisely this and no other fate. The answer to this question is to be found, in our opinion, in the elemental nature of the movement on which Solidarity had been based, which caused the worker tendencies in Solidarity to be suppressed by the petty bourgeois element. For on the one hand, the elemental demonstrations constituted, as we pointed out above, a rudiment of socialism awareness, but only a rudiment which, by the nature of things, had to be inundated by the surge of the petty bourgeois element, and which began to reflect the parochial interests of discrete groups of the working class (as expressed to some extent by the 23 different branch pay schedules). On the other hand, the August events were, like any other events of this kind, accompanied by an elementally rising trade-unionist awareness of the working class which, ignoring the conditions resulting from the existence of the private sector, was reconstructed in the form of a perpetuated stereotyped notion of the alienation and conflict between the management of work establishments and the masses employed in them. This "we" versus "they" stereotype was subsequently extended from the enterprise to the state and the party, representing the administration and power at higher levels. It was bound to happen anyway since the schema of the struggle of the working class for the most advantageous terms for hiring out its labor, as manifested in the form of the strike struggle, can be resolved at the enterprise level (by the capitalist or the supervisory council) only under capitalist conditions, whereas under socialism this is not possible owing to the dependence of enterprise management on the central authorities, which in a way are anonymous. The sole force that could have "turned away" such an elemental movement from the path corresponding to trade-unionist awareness was the party; however, at the time the party itself, being weakened by the petty bourgeois element which had accounted for the former practices of socialism-building, generally was not able during the initial stage of these disturbances to direct and utilize them with the object of strengthening socialism and combatting bureaucratic distortions within the machinery of state. As we recall, the prolonged vacillation of the PZPR Central Committee as regards enunciating the party's position on the rising new trade-union movement resulted in practice in that the party members, as well as the party as a whole, had been from the very beginning shoved aside by that movement. The party began to be active concerning the Solidarity trade-union movement only after that movement's threat to the socialist state became a fact. That was a grave mistake, aside from the question of whether the party had been capable at the time of such an effort, because any elemental movement relating to strike struggle during socialism-building is bound, if left to

itself, to result in weakening the socialist state. The manifestation of that movement in the form of trade unions does not mean that the danger is bypassed, because, as noted above, in the course of socialism-building, trade unions are of a more reactionary nature in relation to the worker party. Lenin commented on the question of the enhanced reactionary nature of trade unions that, while the unions are to be sure a definite factor in socialism-building, because they associate extremely broad masses of non-party member workers, this virtue can also become a defect, particularly in the presence of a petty-industry mode of production, owing to the attendant "relative persistence, precisely within the trade unions, of the political influences constituting the superstructure of the relics of capitalism and petty industries" and "they were petty-bourgeois influences."/12/ The truth of this statement revealed itself completely when, as we pointed out already, the August events, which were a protest of the working class against distortions in socialism-building practice, became canalized within Solidarity. In evaluating that trade-union movement, the fundamental criterion of the class nature of demonstrations of the working class and the resulting trade-union organization has to be taken into consideration.

According to Lenin, this criterion is expressed by the fact that the ultimate purpose of any demonstration by the working class during the socialism-building period is "solely to strengthen the proletarian state and proletarian state power through combatting bureaucratic distortions within that state, combatting its mistakes and deficiencies as well as the class appetites of capitalists evading control, etc."/13/ As can be seen, the program and operating practice of Solidarity completely repudiated that goal, as ultimately expressed by Lech Walesa in his declaration at the December meeting of the presidium of the National Commission in Radom: "If we allow private ownership, break up and sell state farms and have self-governments throughout, then that system [the "socialist" system] will disappear, and so let's not kid ourselves."/14/ Thus, Solidarity may be variously appraised and it may be argued that [it became dominated] by extremists and that its grassroots wanted something else, but the ultimate criterion mercilessly demonstrating its nature is contained in that, objectively speaking, Solidarity did not desire to strengthen the socialist state but, quite to the contrary, it desired to demolish or at any rate weaken it.

Subordinating Solidarity to immediate and shortterm interests of the working class at the expense of its longterm interests had likewise produced in the long run effects that were totally different from the presupposed ones. This fact can best be traced in wage demands and their materialization during 1981. Thus, in that year the average monthly wage in the socialized sector increased by 25.2 percent (to 7,250 from 5,789 zlotys) while the cost of living increased by 25 percent compared with 1980. It can be concluded from this that the average purchasing power remained at the same level. This, however, is superficial reasoning, because many employment groups received wage increases of less than 25 percent. Of the 15 employment groups in the socialized sector only 4 groups, accounting for about 60 percent of total employment (in industry, construction, agriculture, transport and communications) received wage increases of 3.7 percent above average, while the wages of the remainder (traditionally counted among the lower wage earners) increased to a smaller

extent, from 0.1 to 19.8 percent. This does not reflect, of course, the decline in living standards in face of growing inflation and the shortages of consumer goods. The point is that what was supposed to defend the position of the working class in the economic sphere had actually and objectively contributed to lowering its living standards.

If it is thus acknowledged that our earlier hypothesis that elemental demonstrations by the working class in the course of socialism-building, if left to themselves by the worker party, result in weakening the socialist state, is a correct hypothesis, this may raise the question of who acts in lieu of the party? Analysis of the situation linked to the rise and activities of Solidarity, which we will not carry out too broadly because a sufficient number of studies of this subject has already been made, reveals that at a certain stage socialism-opposing groups join in that movement, meaning oppositionist groups that exist in a more or less camouflaged form among Polish emigres as well as domestically. In the case of Solidarity this was so evident that even the report of the KKP to the first congress of that union contained a corresponding clause which stressed that, "The independent sociopolitical movements established in defense of workers and human and civil rights (the KOR [Committee for the Defense of Workers], the ROPCz10 [Movement for the Defense of Human and Civil Rights]), academic communities (the TKN [Society for Academic Studies], the DIP [Experience and Future]), the members of the clubs of Catholic intelligentsia and Catholic parishes as well as youth groups (the SKS [Students' Solidarity Committee], the RMP [Young Poland Movement]) made a great contribution to the cause of the country's renewal."/15/ At the same time we can trace the process whereby the experts and advisers operating during the August events gradually penetrated the leadership and agendas of Solidarity; in its final period of existence a large number of key posts in Solidarity was staffed by KOR activists. This did not happen without a struggle, of course, because the worker tendencies in Solidarity were not a myth but did really exist. This latter fact did not, however, greatly influence the formulation of the union's policies, because the defeat suffered by the experts and advisers from the circle of the antisocialist opposition at the First Congress did not mean ending their influence, as reflected in the December sessions of the National Commission in Radom and Gdansk. It is worth noting that at that congress, too, a clash regarding the KOR had taken place. One of the delegates proposed a resolution in favor of acknowledging the activities of the KOR as the embryo of worker and civic solidarity, and this caused the congress to become split into two camps; thanks to the workers from the Lublin delegation, who feared to support the resolution because the workforces they represented ordered them to stand aloof from the KOR, this resolution was defeated.

The conclusion as regards the nature of the elemental demonstrations by the working class could be formulated as follows, with allowance for the limited scope of this study: elemental demonstrations by the working class are to some extent a rudiment of socialist awareness, because they are directed against mistakes in translating socialism into reality and attempt to lead the practice of socialism-building onto the right track. However, the integral relationship between these demonstrations and trade-unionist awareness is a basis for actions that weaken the socialist state and that become a reality

when the party is incapable of joining in the formation of that movement while the latter still is in the embryonic stage and when thus the party is supplanted by various oppositionist groups.

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On concluding the discussion of elemental demonstrations by the working class during socialism-building it is also worthwhile to consider the question of why, despite everything, counterrevolutionary actions were not crowned with success under the circumstances created by these demonstrations, and specifically why, under Polish conditions, despite such a large Solidarity membership—more than 10 million according to its activists—the martial law could be imposed without resulting in a civil war? We believe that the answer to this question is contained precisely in the specific nature of trade-unionist awareness, which can be elementally reproduced among a part of the working class. The point here is that, although that awareness means subordinating the longterm interests of the working class to its immediate interests at the behest of the moment, it lacks explicit bourgeois features favoring the restoration of capitalism. Let this thesis be proved by the fact that, first, the oppositionist centers (other than the KPN [Confederation for Independent Poland], which met with practically no support among workers, because its base consisted of representatives of the intelligentsia) had never launched any slogans or programs of action plainly favoring the return of capitalism, and instead were compelled to appeal to petty-bourgeois socialism and operate with generalized slogans of freedom, democracy and self-government whose sole purpose was to "improve socialism" rather than replace it with capitalism. This was prompted by the fear, and a justified fear at that, of forfeiting the support of workers. Secondly, in accordance with the elementally forming trade-unionist awareness canalized in the new trade unions, most of the plant commissions undertook certain trade-unionist activities within the framework of which they had wanted to promote their back claims.

Thus, at the very outset there arose a dissonance among regional [Solidarity] structures, which became dominated by the opposition, because, following a period of enthusiasm, workers regained their passivity as regards the management and governing of not only the state and the economy but also their own trade unions (this accounts for such a small number of workers among the delegates to the First Congress of Solidarity and among union officers upward of the regional level). That is, from the very beginning there arose a division, at first not yet realized, between the trade-union leaders, who strived, under the influence of the opposition, to weaken the state, and the membership masses, which were in an overwhelming majority motivated to attain the most advantageous conditions for hiring out their labor, which in its turn was exploited for political purposes by the trade-union "higher-ups." For a long time it had been possible to maintain the unity of Solidarity, without bringing the contradictions to light, because it was easy to exploit the "we" versus "they" schema, which had evolved as a result of relations characteristic of state enterprises. Owing to the strike struggle this schema became perpetuated in a form in which "we" signified Solidarity and "they" the party and the government. At the same time, the embedding of antistate and

antisocialist aims into the economic struggle caused a majority of workers to fail to understand the consequences of the actions in which they took part. The split between the "grassroots" and the "top" of Solidarity, although for a time it had not been realized, was inevitable because the antisocialist opposition considered it important to maintain the trade-unionist awareness of workers. This was accomplished by blocking the party's propagation of [socialist] awareness and advocating the slogan that the government and the party were lying and pursuing interests alien to the working class. The consequences were such that, to be sure, it became possible to bar the road to the worker tendencies within Solidarity that had intended to transform the new trade unions into an instrument of the organizing role of the working class and strengthen socialism and combat its distortions. As a result, the working class remained passive and indifferent to actions other than the struggle for the most favorable conditions for hiring out its labor. The oppositionist groupings had to accept this, because they lacked an alternative to the platform of struggle for socialism that had by then begun to be gradually formulated by the party, considering that the struggle for socialism precluded any explicit dismantling of the state and restoration of capitalism in economic relations. To put it plainly, trade-unionist awareness manifests itself in the course of socialism-building solely in the form of the failure of the working class to exercise its organizing role, and in itself it does not provide any antisocialist alternatives to further development. Such alternatives can appear (and the soil for them is favorable in the presence of trade-unionist awareness) only in a coalition with groupings of the antisocialist opposition.

While this may not be a quite felicitous analogy, it can be stated that the trade-unionist awareness that appears in the course of socialism-building reflects in some manner, just as under capitalism, tendencies toward the most favorable hiring out of one's own labor while at the same time presuming the continuation of the existing system of society. This is a rather complicated issue, because we are dealing here with a nonsocialist awareness that is, however, linked to a working-class movement, but that movement happens to be one that sacrifices the fundamental interests of the working class for the sake of real or imaginary momentary advantages. But breaking out of the vicious circle of trade-unionist awareness which became, as in the case of Solidarity, a basis for antisocialist actions, cannot, as we noted previously, be accomplished within the trade unions themselves (owing to their more reactionary nature, in the sense described above); however, it can be a consequence of deliberate and consistent efforts by the party, which may organize in the defense of socialism not only its own ranks but also all those workers and laboring people who have linked to socialism their hopes for further personal growth.

All the elements enumerated above have, taken together, resulted in the failure of the counterrevolution in our country (owing to the party's actions in the defense of socialism) and in the introduction of martial law without consequences in the form of a civil war.

The party's explicit revelation of the antisocialist nature of Solidarity resulted in that, despite their initial (and relatively limited besides)

resistance, a majority of workers realized the consequences of further advancing in the direction proposed by Solidarity, and at the same time felt these consequences on their own skin in economic terms. It was thus relatively easy to counter Solidarity and eliminate it from the political arena, also because its membership base was practically passive and had been used by the leadership solely as a tool for advancing its own purposes through strike actions. Another and related reason was that the programs did not promote the management and governing of the economy and the state by the workers, and thus in practice the only ties linking the workforces and the Solidarity leadership were emotional ties. The defense of socialism in this respect thus was fully successful. However, there still remained other and no less important questions relating to motivating the working class to exercise its organizing role in the course of socialism-building. It was in this respect, though, that the party sustained its greatest losses, because the disappointment which Solidarity had caused to workers is being translated in both psychological and political terms into the reluctance of workers to participate in creating socialism. This is because, we recall, socialism-building cannot be based exclusively on the slogan "Work, Work Solidly," as strikingly revealed by the August events. In other words, Lenin's comment that socialism will not be introduced by the party alone but must be accomplished by the broad worker masses once they learn to govern the state and direct the economy is not of a purely theoretical significance but has an extremely topical practical significance, and the further advancement of socialism in our country depends on this.

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Were we to construe the trade-unionist awareness pervading a part of the working class in the course of socialism-building as a certain typical mental construct, it would have to be defined as the awareness attending a working-class movement that guides itself exclusively by the behest of the moment, adapts itself to particular current situations, and is so concerned about real or imaginary momentary advantages as to become oblivious of fundamental interests. Thus, this kind of awareness can at certain periods characterize both the party and the trade unions and also the elemental demonstrations by the working class. The sense of adhering to Lenin's terminology thus consists, in our opinion, in that, among other things, it allows a relatively precise determination of the distance separating the empirical awareness of the working class from socialist awareness, and further in that it serves to determine that distance at the most important point, i.e., the point at which the nature of the socialist mode of production and the special role of the working class therein become understood. In terms of action by the members of the working class, this distance separates it from the universal materialization of the new mode of labor of the socialist type, as well as from exercising the organizing role of the working class, specific to the socialism-building period.

By contrast, any attempt to equate socialist awareness with emotional acceptance of socialism stems from the adoption of a trade-unionist orientation with respect to the relationship between socialist awareness and the empirical awareness of members of the working class, as revealed most

often in the model for the solution of social conflicts through wage manipulations. For it is obvious that socialist awareness then appears to be chiefly market-directed, i.e., once the market supply and demand become balanced, we supposedly encounter socialist awareness among the working class, and similarly in the absence of a market equilibrium socialist awareness is supposedly absent. This position appears to be championed in the study "Swiadomosc socjalistyczna" [Socialist Awareness], which states that "In the last 30 years of socialism-building in our country, thanks to the adopted strategy, the socialist system has become fully accepted,"/16/ and which comments that deviations from that awareness arise in the presence of difficulties in the construction of the material base or in a situation in which the productive forces do not meet the growing demand for consumer goods./17/ There is hardly any need to prove that such tendencies reflect the domination of a part of the working class by trade-unionist awareness, because in this case the concretely situational depiction of reality supplants scientific or quasiscientific analysis, and secondly because then the worker is considered solely as a consumer and a source of manpower, i.e., ultimately his vision as a consumer overshadows his vision as a codeterminator of working conditions. Thirdly, we are dealing here with the separation--characteristic of trade-unionist awareness--of the socialist linkage between the direct producer and the means of production, i.e., here the sphere of consumption determines the property modes; in other words, the viewpoint of trade-unionist awareness (the explanation of socialist reality through the prism of circulation [of consumer goods]) becomes accepted.

At the same time, it should be stressed here that the problem of trade unionism is particularly menacing when it concerns the worker party, i.e., when, owing to some purposes relating to difficulties in guiding the socialism-building society, the form of awareness typical of the party, that is, scientific socialism, is abandoned in favor of a purely trade-unionist awareness. Limitations of the theoretical perspective accepted by the parties in the course of socialism-building many ensue from the particular historical stage in which the working class exists (absorption of the peasantry and the petty bourgeoisie, various stages of socialism-building) as well as from the size of party membership and the magnitude of the tasks pursued by the party at a given moment (period of revolutionary mobilization and period of takeover of power).

Here the hypothesis can be advanced that the policies of the 1970's in Poland reproduced en masse the awareness which we defined as trade-unionist awareness. For these policies had included the policy of "moderate inflation," which was to boost the economy and promote labor productivity, but at the expense of aggravating the situation of the largest segments of the working class and a concomitantly enriching the private sector and speculators. Thus this policy resulted in spreading among the masses as well a spirit of moneygrubbing and the view that the pursuit of personal gain is the only method of improving national welfare. As regards the distribution of national income, the chief emphasis was placed on wage increases at the expense of collective consumption, which as a consequence led to the underfulfillment of plans in the fields of education, science, medical care, collective feeding and transportation as well as to transferring the cost of housing construction

to the wage fund, which prompted undertaking only those activities that could subsequently be objectivized in financial terms. Underlying this policy was the theory of building mature socialism, which reflected the petrification of the economic and social structure existing prior to 1970. That theory, sanctioned by the 7th PZPR Congress, had, first, contributed to obliterating the class structure of our society and its contradictions and, second, it provided the basis and the justification for not including the working class in the governing process and treating it exclusively as a source of manpower rather than as the primary political subject with respect to which socialism was to be accomplished in our country. The striving to obliterate the class structure of our society went so far that some authors resorted to any means of promoting the likelihood, even if only after a fashion, of the thesis that Poland had entered the stage of mature socialism. This "lacquercoating," which was besides combined with total failure to understand Marxism, is perfectly illustrated by the following statement, which is so odd that it does not merit a broader interpretation: "The private farm has lost its value as ownership of property. Nowadays it has an economic value and resembles an industrial work establishment, and thus its value is that of a workshop and most often a specialized workshop at that. It can thus be considered that the private farm is a fragmentary aspect of the transition period and cannot influence the nature of the stage of socialism-building."/18/

It is thus obvious that, owing to all the factors we mentioned above, the broad worker masses had not been brought up in the attitude and awareness of being the owners of state property. That is, we were dealing with a classic instance of disruption of the mental construct describing adequately the socialist relationship between the direct producer and the means of production, or in other words, this concerns a mass reproduction of the structure of trade-unionist awareness. Now as far as the party is concerned, on the basis of the moral-political unity of the nation, which by now was considered a perpetuated given, and on thus considering socialism as classless, it could be, as J. Ladosz justly observes, that, "Alongside the declarations about the working-class nature of the party, there operated the concept of the party as an arbitrator and 'conciliator' of the interests of diverse groups and strata of the society, as the supreme arbiter of interclass, intercommunity, etc., interests, rather than as the party of the working class rallying round itself the nation whose perspective is socialism."/19/ This situation was reflected, a reflection that was reinforced by the rise of Solidarity, in the party during the early 1970's, where trade-unionist awareness became, as stressed by S. Olszowski, externalized in the attitudes of part of that part of the party membership which rapidly joined Solidarity and attempted to impose on the party "The abandonment of the Marxist-Leninist evaluation of social forces, phenomena and processes, a fallacious assessment of the class and political alignment of forces in the country and the view that the ongoing counterrevolution and the antisocialist forces organizing it were a fabrication of party dogmatists and the party apparatus defending its interests. They propagated the social-democratic organizing idea, supplanting the principle of democratic centralism with an alleged 'complete democracy' that rejects discipline in implementing the resolutions of the party leadership and legalizes factional divisions within

the party. They perceived the chief adversary to exist within the party itself rather than in the class enemy--in the antisocialist domestic forces as well as in the foreign centers of imperialist diversionary activities."/20/ These trade-unionist influences within the party were condemned even more explicitly by W. Jaruzelski at the 7th PZPR Central Committee Plenum: "Opportunism means primarily vacillation, hedging, passive adaptation to the current situation. It is bad when party members, who are aware of the social consequences of opportunism, can't counter it. It is worse still when they revise Marxist-Leninist principles. But worst of all is when they conciliate the political opposition. Experience shows that the opportunist current causes devastation within party ranks, objectively becomes an ally of the antisocialist forces and constitutes a real danger."/21/

To paraphrase Lenin's comment in his article "Marxism and Revisionism," we can say that the trade-unionist awareness appearing within the party's ranks reflects a typical mental construct linked to politics which determines the periodic conduct of the party by stressing adaptation to events of the moment and minor political changes exclusively at the expense of fundamental interests of the working class and the basic features of the entire socialist system of society, that is, this awareness sacrifices these fundamental interests for the sake of real or imaginary momentary advantages.

FOOTNOTES

1. W. Wesolowski, "Teoria--Badania--Praktyka. Z problematyki struktury klasowej" [Theory, Research and Practice: From the Problems of Class Structure], Ksiazka i Wiedza, 1973, p 72.
2. Ibid.
3. Ibid., p 73.
4. Cf. V. I. Lenin, "Works," Vol 5, Ksiazka i Wiedza, Warsaw, 1950, p 410.
5. Ibid., p 425.
6. Wesolowski, op. cit., p 73.
7. Ibid.
8. A thorough analysis demonstrating the fallaciousness of the thesis of the elemental growth of socialist awareness in the course of socialism-building, in the light of the economic picture of the transition period, the role of the masses in the planned socialist economy, the cultural revolution and the ideological struggle, is presented by the present writer in "Swiadomosc sierpnia 1980" [The August 1980 Awareness], soon to be published by the KAW Press.

[Footnotes 9-11 not contained in these excerpts]

12. Cf. Lenin, op. cit., Vol 23, p 196.
13. Ibid., p 187.
14. Cf. "Scenario for a National Tragedy," Information Department of the PZPR Central Committee, January 1982, p 4.
15. Cf. "Report of the KKP of the NSZZ Solidarity," SOLIDARNOSC, No 24, 11 September 1981.
16. Cf. K. Kaszynski, "Swiadomosc socjalistyczna. Z teorii i praktyki" [Socialist Awareness. From Theory and Practice], Zielona Gora, 1977, p 38.
17. Ibid., p 37.
18. Ibid., p 141.
19. J. Ladosz, "Sources and Nature of Our Crisis," NOWE DROGI, No 1-2, 1982, p 134.
20. "I Ogolnopolska Partyjna Konferencja Ideologiczno-Teoretyczna" [First All-Polish Party Conference on Ideology and Theory], Ksiazka i Wiedza, Warsaw, 1982, p 39.
21. Cf. W. Jaruzelski, "Przemowienia 1981-1982" [Speeches, 1981-1982], Ksiazka i Wiedza, Warsaw, 1983, p 299.

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POLAND

PART VII OF CENSORED TORUN TRIAL PRESENTED

Krakow TYGODNIK POWSZECHNY in Polish No 8, 24 Feb 85 pp 3-6

[Abridged account by Jacek Ambroziak, emissary of the Press Bureau of the Episcopate of Poland: "The Rev Jerzy Popieluszko Murder Trial"]

[Text] The Experts Testify

24 January 1985, 19th Day of the Trial

Testimony by the Experts Maria Byrdy, 75 Years Old, Specialist in Forensic Medicine, and Tadeusz Jozwik, 53 Years Old, Specialist in Forensic Medicine:

Prof Byrdy stated that three opinions were issued at various periods, each new opinion being a complemented and expanded version of its predecessor, and that she feels that all these opinions should be read, starting with the first, issued directly after the autopsy, and ending with the last, submitted to the court.

The provisional first opinion of 30 October 1984 was read.

Then the experts read the second opinion of 31 November 1984, and subsequently the final forensic-medical opinion concerning the mechanisms and cause of the death of Jerzy Popieluszko.

Prof Byrdy displayed rags and declared: "These are fustian rags. They were wrapped around the truncheons. They protected the skin by preventing abrasion of the epidermis, which may have been the purpose of the defendants. The truncheon was fairly heavy and when wielded with adequate force it could cause various bruises and loss of consciousness. The force of the blow on the neck was considerable, because its traces are quite deep considering that the neck is protected by several layers of muscle. In my opinion, six or even seven blows were struck from the top of the head to the top of the shoulderblades."

Judge Maciejewski: "Had the Rev Popieluszko been abandoned the last time the car was parked in the forest, would he, in his condition at that time, have had a chance to survive?"

Prof Byrdy: "If abandoned in the forest, the bound and gagged Rev Popieluszko was bound to die. Even if he were to recover consciousness, [his struggles would merely] tighten the loop [around his throat]"

Judge Maciejewski: "There are no traces of his having been thrown into the water while still alive. This ensues from the opinion of the experts."

Prof Byrdy: "A typical symptom of drowning is hydrous edema. We haven't detected it. Were we to assume, with reference to the situation of the Rev Popieluszko, that at the instant when his body was thrown into the water his heart was still making its last contractions and that he would still be performing some superficial respiratory movements, we would have to state that the death occurred in the water. But the entire situation and all the circumstances existing prior to the body's being thrown into the water prevent making such a definitive statement."

Judge Maciejewski: "Can't you state explicitly whether the Rev Popieluszko was alive or dead at the moment when he was thrown into the water?"

Prof Byrdy: "In our written opinion we declared that we cannot state this with certainty. Given the attendant circumstances, we cannot conclude so and cannot make a definitive statement."

Prosecutor: "What kind of implement is a truncheon?"

Prof Byrdy: "A truncheon may prove an implement dangerous to life if applied with a great force, e.g., to the head, with subsequent fracture of bones or owing to damage to the blood vessels in the cranial cavity. Subcranial effusions also are possible. If applied with a smaller force, the same implement may cause only extravasation of blood."

Prosecutor: "In that particular situation, how do you assess the truncheon?"

Prof Byrdy: "In that situation, the decisive factor in using that implement was the number of blows and the force with which they were struck in the neighborhood of the neck. To be sure, the neck is protected by a thick layer of muscle, but it also contains the vertebral canal and a segment of the cranial cavity containing the so-called medulla oblongata, i.e., cerebral regions in which are sited important vital centers. In the medulla oblongata we found a small number of important hemorrhages that could be readily traced to blows struck at the neck and the back of the head."

Prosecutor: "Does the height of the defendant Piotrowski in relation to the height of the Rev Popieluszko correspond to the force of these blows?"

Prof Byrdy: "The very height of the victim and that of the defendant point to the possibility of this conclusion."

Prosecutor: "The written opinion indicates that Popieluszko was also struck with fists. What was the force of the fist blows?"

Prof Byrdy: "We assumed that in the right temporal region, which showed traces of three bruises, one of the bruises may have been caused by a blow with a fist. In itself, such a blow, were it isolated from all others, could cause a temporary fainting spell and a collapse, following which the Rev Popieluszko could get up from the ground."

Prosecutor: "Can the number of the blows struck with the truncheon be determined?"

Prof Byrdy: "In the case of some of the traces of blows we could not decide or even assume whether they were due to truncheon blows. The blow struck in the region of the mandible was extremely strong. It was struck with a truncheon and at least twice. The left arm bore traces of three truncheon blows. The truncheon also was used in causing deep contusions of the neck and sides, at least six. In my opinion, it can be assumed that 11-13 blows were struck with a truncheon."

Attorney Grabinski: "Do you recall the description of the hole in the bunker in the woods near Kazun?"

Prof Byrdy: "I do recall certain features of that hole."

Attorney Grabinski: "If the Rev Popieluszko had been placed in that hole in a bound, beaten and gagged condition, and covered with rocks, could that have caused his death?"

Prof Byrdy: "That situation would have been the same as in the forest. That would condemn him to die."

Attorney Grabinski: "The autopsy revealed cerebral hyperemia."

Prof Byrdy: "The autopsy revealed hyperemia of the meninges and the brain. There was an entire segment of gray matter that showed up in contrast, separate from the entire remaining cerebral mass. At the time, this impressed me as pointing to putrefactive changes of gray matter. That is how I evaluated it. Now, however, I cannot be certain whether that change in color was due to both the hyperemia and progressive putrefaction."

Attorney Grabinski: "Might not that cerebral hyperemia have affected the right cervical vein, the stasis?"

Prof Byrdy: "That hyperemia had its effect, but venous stasis could also have been influenced by other factors such as pulmonary asphyxia, the pressure exerted on the cervical vein by the cord at the moment when the loop was at the level of the thyroid cartilage."

Attorney Grabinski: "Was trauma the cause of the death?"

Prof Byrdy: "That's what we concluded."

Attorney Grabinski: "Was that trauma caused by any particular aspect of the maltreatment?"

Prof Byrdy: "All the factors taken together led to an irreversible trauma."

Attorney Olszewski: "Could the maximum number of the blows with the truncheon be determined?"

Prof Byrdy: "We can't determine it."

Attorney Olszewski: "If the aim of the blows dealt by Piotrowski, considering his physical constitution, was merely to render the priest unconscious, can it be established, on the basis of the traces, that these blows weren't life-threatening?"

Prof Byrdy: "We can't determine the force of the blows. The physical condition of Grzegorz Piotrowski is very good. He has strong hands. The regions at which the defendant had struck are normally those struck with the object of rendering the subject unconscious. But after all, pain has to be taken into account. We cannot tell whether these blows could only have resulted in loss of consciousness or whether they eventually led to something greater."

Attorney Olszewski: "I'm concerned about the assailant's own subjective assessment of the force with which he dealt the blows. Assuming that he merely intended to render his victim unconscious, was that possible? Could the force of the blows be controlled so as not to endanger the victim's life?"

Prof Byrdy: "I think that one blow wouldn't have caused loss of consciousness. But striking additional blows at other parts of the body may have caused loss of consciousness and other, more grave consequences."

Attorney Olszewski: "The autopsy report mentions blows struck in the temporal region."

Prof Byrdy: "A momentary fainting spell could have been caused by a blow dealt with a fist. These were precisely the changes we found on the left temple."

Attorney Olszewski: "If the blow is aimed at the temple, can the assailant be certain of causing only a fainting spell?"

Prof Byrdy: "No, the assailant could expect that blow to cause much more serious consequences."

Attorney Olszewski: "Were the victim to be left in the bunker in a gagged,

bound and beaten condition, and covered with rocks, how long could he have survived?"

Prof Byrdy: "Death would be inevitable. I can't say how long it would take before death would set in."

Attorney Olszewski: "Was the manner of tying up the victim a manner requiring a certain experience and familiarity? Was that tying-up technique a common and universally known one, and one easy to accomplish?"

Prof Byrdy: "That cord was incomprehensible to me. After all, the priest no longer moved as ensues from the evidence. I simply don't know just why it was looped around him."

Attorney Olszewski: "Was the manner in which that cord was looped around the victim a conventional technique or one requiring special expertise?"

Prof Byrdy: "I couldn't understand the purpose of that cord. If it was looped around the victim to cause self-suffocation, then the assailant should have known that it would be a factor in causing death."

Attorney Olszewski: "That manner of tying up the hands and feet and looping the cord around the neck--could it have been accomplished in darkness, in panic, in a situation in which the attackers were agitated and in a hurry? Or didn't it after all require a certain expertise?"

Prof Byrdy: "At one stage the hands of the Rev Popieluszko were tied. During the stopover in Torun, his hands and feet were tied, and subsequently the assailants improved and tightened those knots. Why they did it, we don't know. The cord used for this purpose was inappropriate. That was why at certain moments the Rev Popieluszko was able to loosen his ties as happened en route from Gorsk to Torun. It may be that the knots were ineffective precisely owing to the material from which the cord was manufactured. Improving the ties consisted in, I believe, tightening them. That tightening done in the forest was very strong, firm and difficult to loosen. Once in the water, those ties may have somewhat loosened, and that is why, after the corpse was recovered, only the loop on the left hand had remained."

Attorney Olszewski: "But the way in which the body was tied up had been very effective, as we saw while present in the autopsy room. It was very difficult to loosen those ties. Could their tightening, in the form in which was done, have been done rapidly. Could it have been done by an expert hand requiring precision and sangfroid rather than by a person in a shocked condition?"

Prof Byrdy: "Insofar as the line leading from the loop was the same, these ties were more effectively tightened, but subsequently another cord was used to tie up the victim in a more systematic manner."

Attorney Olszewski: "Could the manner in which the Rev Popieluszko was placed in the trunk also have contributed to the ongoing process of suffocation?"

Prof Byrdy: "We adhere to what we stated in the report, namely, that this was an important factor contributing to the lethal outcome."

Attorney Olszewski: "From the standpoint of the effect of that loop on the neck, or in a situation in which the priest's body was placed in the trunk in that manner and a sack with stones tied to it, could that have resulted in suffocation?"

Prof Byrdy: "That also was considered in our report. Whenever any movement was made, the loop may have shifted its position and exerted pressure on the larynx and the vein. Tying on the sack with stones could, of course, have caused the position of the loop to shift."

Attorney Olszewski: "You distinguish among several situations of incremental trauma. I wonder if it is possible to determine the moment at which these effects become irreversible."

Prof Byrdy: "This is a function of the sum total of all the actions. We believe that the critical situation occurred while in the forest, but all this must have added up."

Presiding judge: "All this has already been discussed."

Attorney Olszewski: "That is why, in face of this impatience, I am asking the following question: there seems to be a gap between a situation that is still reversible and a critical situation, isn't there?"

Prof Byrdy: "That critical situation was the consequence of all the actions previously performed. Had the Rev Popieluszko been left alone earlier, he could have survived. But we can't say just when did the boundary situation set in."

Attorney Olszewski: "If the presence of phagocytes, which subsequently decomposed, was established, does this mean that an hour or more had elapsed since the moment of death?"

Prof Byrdy: "Phagocytes are generated so long as the organism is alive. Once the organism is dead, they take about an hour to decompose. We don't know the exact moment at which phagocytes are generated and decompose in man."

Attorney Wende: "There was excessive mobility of the nasal cartilage. How could it have happened?"

Dr Jozwik: "It could have happened when one of the defendants held the priest by the nose."

Attorney Wende: "Could the injuries you described in your report point to the beating of a man who was by then unconscious and lying on the ground?"

Prof Byrdy: "We are unable to determine the force of the individual blows. We are unable to say when and after how many blows did the Rev Popieluszko lose consciousness."

Attorney Ilasz: "Can it be assumed that, e.g., a P-64 pistol could have been more effective than a truncheon as a means of beating?"

Prof Byrdy: "I believe that the handle of the pistol would leave deep injuries and explicit traces. A truncheon wrapped in rags, on the other hand, would leave no visible traces."

Attorney Graczyk: "At what moment was the cartilaginous part of the nose injured?"

Dr Jozwik: "The injury may have occurred owing to striking, twisting or squeezing the nose, but we find it difficult to say just when it did happen."

Attorney Graczyk: "The likelihood of injury to the nose may also have occurred at another moment."

Dr Jozwik: "Yes."

The presiding judge asked whether Dr Jozwik shared Prof Byrdy's opinion and whether they both concurred on their report.

Dr Jozwik affirmed that this was so.

Next, the presiding judge declared that the dossier contains petitions by the attorneys Olszewski and Grabinski for summoning Prof Chruscielewski as an expert witness.

Attorney Grabinski stated that he affirmed his petition.

The prosecutor was opposed, on the following grounds: Prof Chruscielewski was merely present and looked on during the autopsy, and not in the capacity of an expert but in that of a representative of a particular institution and party to the trial. In this connection, justified doubts exist as to whether he could be a completely objective witness before the court. Another reason is that he, the prosecutor, has no reservations about the autopsy report of the experts, whereas summoning a new expert would first have to be justified. At the same time, it should be stated that the autopsy report was complemented by a number of detailed studies in which Prof Chruscielewski had not taken part.

Attorney Ilasz left this question to the decision of the court.

Attorney Graczyk supported the prosecutor's opinion.

Attorneys Pubanc and Marczuk also supported it.

Attorney Olszewski: "I can't agree with the prosecutor's assertion that Prof Chruscielewski represented a specific party to the trial. There is no such

party at this trial. Prof Chruscielewski was present [at the autopsy] with the consent of the authorities, in order to calm public opinion. At the moment we refrain from assessing the autopsy report, but we affirm that that report should be complemented with testimony from Prof Chruscielewski."

Attorney Wende: "I desire to state that we don't wish to delve here into the mysteries of the anatomical laboratory, just as, contrary to the prosecutor's accusation yesterday, we don't wish to delve into the mysteries of criminal proceedings, but we do consider the cross-examination of Prof Chruscielewski to be relevant."

The presiding judge declared that a petition was also received from the defendant Pekala, requesting that Maj Franciszek J. be summoned as a witness to explain just when the blockade of Torun Province was imposed.

Attorney Graczyk, other defending counsels and the prosecutor supported this petition.

The attorneys for the prosecution left the decision to the court.

The defendant Piotrowski petitioned for summoning the witnesses W. and H. so that they would testify on the circumstances of passport issuance, considering that the bill of indictment stated that he, Piotrowski, derived some advantages from it. If, however, this has no bearing on the case, he is ready to drop his request. At the same time, he requested that the witnesses Bishop Romaniuk, Archbishop Dabrowski and Bishop Miziolek be asked to testify.

Attorney Ilasz supported this request.

The prosecutor was opposed, because, in his opinion, all these witnesses are unnecessary and the testimony of witness P. should suffice so far as detailed circumstances are concerned.

Attorney Grabinski, in behalf of the attorneys for the prosecution, also was opposed, because then that would no longer be a trial for the murder of the Rev Popieluszko. The nature of the trial would change completely, and assenting to the request of the defendant Piotrowski for summoning the witnesses he named would exceed the scope and framework of this trial. He, Attorney Grabinski, was resolutely opposed.

Attorney Olszewski supported this conclusion.

Attorney Wende recalled the guidelines of the Supreme Court, which explicitly state that the interests of the plaintiff in a murder trial should be protected, whereas the admission of such testimonies would violate these guidelines.

Attorney Graczyk declared his opposition to that request.

Attorneys Pubanc and Marczuk left the decision to the court.

The defendant Piotrowski declared that, in view of the existence of these Supreme Court guidelines, he was withdrawing his request.

Attorney Ilasz supported the defendant's position.

The presiding judge declared that in addition there is the request of the defendant Pietruszka for cross-examining the witnesses M. and P. in order to clarify the manner in which the information on the WAB-series license plate number reached discrete offices of the MSW [Ministry of Internal Affairs] and was transmitted.

The prosecutor was opposed to this request, considering it as having no bearing on the trial.

The defendant Pietruszka affirmed his request and stated that what concerned him was not the cross-examination of the witnesses P. and M. but important information and the determination of the manner in which that information reached discrete official levels and whether he was able to receive the report on the car with the WAB-series tags within a certain period of time.

Attorney Wende left that request to the court to decide upon.

Attorney Grabinski supported the request of the defendant Pietruszka.

Attorney Marczuk also supported that request.

The prosecutor declared that in principle he was leaving the decision to the court.

The presiding judge asked the parties whether in this connection still desired to view the material evidence or listen to audiotapes or videotapes.

Attorney Pubanc declared in behalf of the defending counsels that they do not see any such need.

Attorney Olszewski left the decision on this matter to the court.

Attorney Wende asked for a demonstration of the handcuffs and, in addition, he requested a showing of the videotape of the recovery of the Rev Popieluszko's corpse. Further, he offered the reminder that the defendant Chmielewski had already submitted a request for a playback of his taped deposition concerning the sinking of the corpse of the Rev Popieluszko at the dam in Wloclawek.

The presiding judge exhibited the handcuffs to the attorneys for the prosecution.

The presiding judge ordered a recess until 25 January 1985.

30 January 1985, 23rd Day of the Trial

On that day the court gave the floor to the attorneys for the prosecution.

The first to offer his closing argument was Attorney Edward Wende, the counsel for the plaintiffs Jozef Popieluszko and Waldemar Chrostowski.

Attorney Edward Wende:

"Your Honors, Justices of the Province Court!

"The drama of that death is already behind us. The Rev Jerzy is no longer menaced by anything. The defendants succeeded in slaying him, but they didn't attain their aim. The intended evil generates not evil but a great and unintended good.

"We already live in the era following the death of the Rev Jerzy.

"Everything has already been said: through the mouth of the Polish Pope and the Polish ecclesiastical hierarchy as well as through the ardent prayers of the entire Christian Nation, that Nation to which the faith of its forefathers is an immutable foundation of patriotism. On this faith is based the millenium of the Christian culture of our Nation, a Nation tested so painfully by its history that it often has been voicing in the strophes of its poets a plaint that is terrible and praying prayers that cause the hairs to whiten, as has been eloquently stated at the funeral of the Rev Jerzy.

"This trial has proceeded with unusual efficiency, and it also has been rapid, as rapid as possible, perhaps too rapid! We are judging the known malefactors and bringing to light the facts established. History will show whether they indeed were the sole perpetrators of this deed. Those who, presumably, pulled their strings at the top are being indirectly punished by the knowledge of the greatness of the harm they caused to all. This I believe.

"I would like to hope that never again will the representatives of the authorities be so weak as to pursue their aims by means of crimes. Murder is murder, regardless of the motives pointed to by the murderer.

"The defendants believed that, by setting themselves above the law, they had the 'right' to be (for reasons known to themselves) the judge, the jury and the executioner. But there was no defending counsel at their court. They didn't give the priest that chance of which they are availing themselves now. They are availing themselves, and justly so, of the help of defending counsels, whom their victim lacked. They are defending themselves before a tribunal which was not also available to their victim. They had refused even a humane death to their victim, beating him to death with a truncheon during the four stations on his Way to the Cross.

"They had set themselves above the law, but now they refer to political motives. It is pitiful and sad that these men, officers, awarded decorations by the ministry for strengthening law and order, are unaware that they themselves dealt our country a most serious political blow.

"They have become not only the accusers and executioners of the priest but also the accusers of their superiors, whose acceptance they had gained, if

they are to be believed. They justify their crimes by the tasks assigned to them as part of their official duties, and in this sense the defendants have become the accusers of the ministry in which they were employed.

"It is an unprecedented thing that in this trial, which concerns an exceptionally brutal murder, one of the defendants has pretensions. He makes direct and indirect reproaches to practically everyone, starting with the minister of internal affairs and ending with the procurature, and in between he indirectly reproaches the highest bodies of state power for having voted the amnesty.

"All this in a situation in which that defendant acts in the role of a killer acting with premeditation. Heaping like Cato grave moral accusations on others, he himself is at the same time seated on the bench of the accused, being accused of murder. He, who also is accused of ordinary dishonesty; he, this Cato, speaks of gnawings of his conscience which is supposedly tortured because of his feeling of responsibility for his two associates who are sitting through his fault on the bench of the accused. At the same time, he points at them without scruple and states that until recently he had been convinced that he was responsible for the priest's death, because it was he who beat him, but after reading the autopsy report 'he felt some relief,' because it now turns out that the priest's death was due to suffocation. But as for the question of what ensues therefrom, he theatrically declines to answer it. What cunning! For he points his finger at them and says: it was not I but they; it is they who should be responsible for the priest's murder, because they had looped the cord around his throat.

"Let him not feel any relief. The blows struck with that truncheon were not unimportant to that death. Thus let him not feel any relief. As for declarations about loyalty, comradeship and honor, these should be reserved for others, such as the driver-mechanic Waldemar Chrostowski who above all had been mindful of his friend the priest and ready to sacrifice his life for him.

"The heaviest accusations, and the hatred they revealed by intent, were made against the Catholic Church in Poland, the members of the Episcopate and individual priests. In face of these accusations the reminder should be offered that while, to be sure, the Church is a community of people, it was established by God and guides itself by the law imposed by Him. The Church's task is to help people who believe in salvation. It does so by means of sacraments, its teaching mission and chaplaincy. It accommodates not only the teaching of the truths of the faith, and not only general teaching about what is good and what is bad, what should be done and what avoided. Chaplaincy also means the duty of judging men's conduct. This imposes on the Church the duty, and at the same time gives it the right, to say what is sin and what virtue, and in every domain of human activity at that. As in family, social and cultural life so in the sphere of the economy and politics. The pastoral mission of the Church in the modern world (*Gaudium et spes*), voted during the Second Vatican Council contains the following thought in its Acapita 76, entitled 'The Political Community and the Church': 'The Church should, however, have always and everywhere true freedom in proclaiming the faith, in propagating its social teachings, in fulfilling unhampered its duty toward the

people, and also in pronouncing moral judgments even on questions relating to political issues when so required by the basic human rights or by the salvation of souls, on applying solely and exclusively all the means consonant with the Gospel and the common good according to the specific times and conditions.' This is the right and duty of priests, just as to us lawyers the Supreme Court's Guidelines for the Administration of Justice and Judicial Practice are our right and duty.

"The Church can never leave anyone in doubt as to what is good and what is evil. This also applies to the mighty of this world, because the Church doesn't relinquish their salvation too and, above all, because their conduct influences the life of broad masses of people and poses moral choices to them. Then they have the right to expect of their Church that it shall tell them what's God's and what's 'Caesar's.' Thus, while it doesn't pose political aims to itself or encroaches upon what is 'Caesar's,' the Church can't relinquish its right to speak to the powers-that-be and of the powers-that-be if it wishes to remain true to its mission.

"After all, we can't forget that in the history of our Nation the Catholic Church has fulfilled a special role during the 150 years of slavery in partitioned Poland, being perceived in the social awareness as a de facto surrogate for Polish statehood.

"Could anyone judge critically nowadays the extrareligious activities of the Piarist Rev Stanislaw Konarski, the founder of the Collegium Nobilium, the educator of entire generations of Poles, political publicist and the author of the capital work 'O skutecznym rad sposobie' [On an Effective Manner of Counsel] which demonstrated the fallacy of the system of the liberum veto? And what about such executed young leaders of the January [1863] Uprising as the Rev Antoni Mackiewicz, executed in 1863 at age 37, or the Rev Stanislaw Brzozka, executed in 1865 at age 61? Consider also the following priests who distinguished themselves in post-Uprising times: the Rev Augustyn Szamarzewski, the founder of cooperatives in Poznan Province, and his successor the Rev Piotr Wawrzyniak, the leader of the entire national movement in the city of Poznan, where streets are named after him today. And what about the Rev Stanislaw Stojalowski, the father of the peasant movement in Poland and a pioneer in the political self-organization of Polish peasants? These priests, and dozens of others, had been for a long time the sole segment of the Polish intelligentsia under foreign rule that was free to act socially and politically. In the 20th century there are the Rev Wacław Blizinski, a peasant activist of the interwar period and deputy to the Parliament, as well as the Rev Aleksander Wojcicki, a defender of workers' rights and historian of industrial workers in Poland. During World War II priests and monastics met their death like other Poles. The Polish clergy paid a high price for its Polishness. Father Maksymilian Kolbe is a symbol of sacrifices, many of which were acts of horrible martyrdom. The future Primate of Poland, then the Rev Stefan Wyszyński, was, like many others, a chaplain in the Underground Army.

"Summing up, the participation of, especially, the lower clergy in the country's social life had its periodic peaks and domains of special activity. But it has never stagnated, particularly not when the Polish Nation was suffering. Polish priests tried to be as close to the Nation as possible; often they suffered as

much as the Nation, and sometimes more. One of the priests I named above said once: 'Were ours a fortunate country, priests could attend only to spiritual life.'

"History can't be used to select only the currently convenient facts. Our history is our heritage and tradition and the present draws on it as a whole. Despite the passage of the years and the changed situation, this feeling survives, and very strongly at that, in the social awareness. This precisely is the background in which was rooted the perception of a peasant's son, the Rev Jerzy, and in which he exercised his calling as a minister.

"Various critical comments and thoughts of the Rev Jerzy have been broadly interpreted in this courtroom as abuse of the pulpit for extrareligious purposes. His 'criminal' activities were mentioned. That was a breach of one of the fundamental principles of modern penal procedure, specified in Article 3, Paragraph 2, of the Polish code of penal proceedings--a principle universally known as the principle of presumption of innocence, which is recognized by all civilized penal procedures: the defendant is not considered guilty until his guilt is proved by the procedure specified in that code.

"I was and shall remain the defending counsel for the Rev Jerzy. I didn't have the good fortune to defend him in court, and I hadn't imagined either that I would have to speak as defending counsel for the victim and not only as one of the attorneys for the prosecution of his killers.

"I'm obligated to do so not only out of consideration for the memory of the Rev Jerzy and his good name but also by principles of elementary decency, of defending the rights of a man who no longer can defend himself.

"Mr Prosecutor has, as proof of the existence of instances of the alleged criminal activities of the Rev Jerzy, read a second bill of indictment in this matter. A bill of indictment prepared by the office which you represent. And lastly, a bill of indictment containing accusations that have never been proved at a judicial proceeding, the proceeding itself having been quashed.

"Mr Prosecutor has mentioned in his speech '...facts must be stated in the name of the law.' Let me add: in the name of the law everything must be told when told before a court.

"For example, did that other bill of indictment authorize Mr. Prosecutor to refer to the bestially murdered priest in terms which may be regarded as abusive? I shall not repeat these terms. But the question is, when and where has the High Office of the Prosecutor offered proof in support of these invectives? When and where have they been proved, in what proceedings?

"I could expect such attacks, but not from a public prosecutor. I could expect that arguments of this kind could be used by the defense. One day during this trial Mr Prosecutor declared that questions pertaining to motivation need to be clarified. Why was the letter of the Office for Religious Denominations to the Episcopate of Poland read? In order to uncover the motives to which the

defendant Piotrowski has referred. Has Mr Prosecutor uncovered them? Is that aim helped by all that he has said about the Rev Jerzy Popieluszko?

"On me as the defender of the Rev Jerzy and the counsel for his immediate family also rests the duty of voicing a resolute protest against this attempt to equate the victim of the crime with the persons sitting on the bench of the accused owing to their perpetration of that crime. There is absolutely no reason justifying such an equation. This exceeds all permissible limits.

"It appears that it is above all Mr Prosecutor, a deputy department director at the Procurature General of the Polish People's Republic, who should consider and respect the comments of the columnist Jan Rem in his recent widely published article, 'An Outrage to Feelings,' which almost entirely deals with the intolerance of certain priests. But let us leave that subject in abeyance. However, the final sentence of that article contains an important basic idea: 'Polemics about differences in world outlook should be waged in an atmosphere of respect and tolerance for those thinking otherwise, in the name of national accord and for the sake of the paramount interests of the nation and the state.' Have these interests of the state and the nation, of accord and tolerance, been served by the statement made by Mr Prosecutor of the Procurature General? I have very considerable doubts about that.

"I think that just as considerable doubts would be entertained by the authors of the Guidelines of November 1976 for the Administration of Justice and Judicial Practice, published in issue No I-2 of OSN, in 1977, who state in Point 10, Chapter 2 as follows: 'Throughout the judicial proceedings care should be taken to: (Point d) eliminate the attempts still occasionally made by certain parties at trials to degrade the personal dignity of the plaintiff.' And further, in Point 12, Chapter 3: 'The institution of the attorney for the prosecution is one of those legislative solutions which, by broadening the rights of the plaintiff at judicial proceedings, enable him to obtain redress for the injury caused by the perpetrator of the crime. The admission of the attorney for the prosecution as a party to the trial safeguards the plaintiff at contradictory judicial proceedings against any eventual unjust accusations intended to justify the criminal conduct of the defendant.' Any comment would be superfluous here.

"Still, there is one thing: has not all that has been said here yesterday exceeded the limits of objective necessity for demonstrating the guilt of the defendants? Does not it also constitute a violation of the Guidelines of the Supreme Court as regards safeguarding the interests of the plaintiff at a trial? I'm posing this question for consideration by the Province Court.

"Let me add just one more thing: the statements made by the public prosecutor, equating the victim of the crime with his executioner, without any grounds whatsoever, are perhaps unprecedented in the history of the world judiciary. Let me say more even: no condemnatory verdict has ever been or will be pronounced against the Rev Popieluszko. No one has ever proved the Rev Popieluszko guilty of anything. Yet, he had been depicted in hostile terms, and attempts are being made to depict him in these terms even now after his death.

"I have never heard an objective argument demonstrating that the Rev Popieluszko was wrong. I have never heard objective polemics against his views. There were only invectives and insinuations and demagoguery, the malicious and tendentious twisting of facts and thoughts. In the absence of objective arguments, his cooperation with the special services of NATO countries is insinuated. Who can believe this? Does Piotrowski himself believe this? Has he become blinded to such an extent?

"Yet what precisely did we hear in the homily of the Rev Jerzy read before this court? And what was its relationship to the previously read letter mentioning the establishment of a counterrevolutionary organization? The defendant Adam Pietruszka didn't know how to answer this simple question? This defendant cites another accusation, namely, that the priest spoke publicly of gallows. Later this turned out to be a rumor spread by some informer--a rumor that can't be proved and is therefore cited!

"I knew the Rev Jerzy personally, and I know how he detested force and how ardently he opposed the death penalty as an inhuman penalty inconsonant with his love of people and principle of forgiving even the greatest sinners when they show repentance and regret.

"It was in this atmosphere of incitement against the priest that the crime reached its fruition.

"[-----] [Decree of 31 July 1981 On the Control of Publications and Entertainment, Article 2, Point 1 (DZIENNIK USTAW No 20, Item 99; revised in 1983 DZIENNIK USTAW No 44, Item 204).]

"The Rev Jerzy was not one of the yesmen and that was essentially why he met his death.

"But I don't understand why the radical expedient of killing him was employed. In what way did he menace them? Did that priest and his mission represent any real danger?

"No! We know all too well that this was impossible. We know that the Church does not represent any danger to anyone. At most, it has been a source of irritation. Irritation, because of its uncompromising plain speaking on, among other things, 'taboo' topics. Irritation, because it brings to light truth which some would prefer to forget or certainly not to mention. Irritation, finally, because he was fearless.

"Why then? Because he was a man who thought differently. When routine methods of combatting thoughts uttered to and accepted by thousands are ineffective, the opponents of these thoughts are left only with hatred leading to crime.

"We don't know what kind of section was headed by Grzegorz Piotrowski. We don't know when it was established and for what purposes. In principle, I haven't expected answers to these enigmas. But I know one thing now: the defendants, who worked in that section, had no real knowledge of the role of

the Church, its social activities, the social teachings of the Church and the role of the priest. This is demonstrated by nearly every word uttered by the defendants in this courtroom. Do the defendants at least realize that this bench of the accusers should be much longer and extends through millions of hearts in Polish homes?

"All that has happened, continues and shall continue following the death of the Rev Jerzy is probably just as incomprehensible to the defendants. They don't understand that there are individuals who shall remain deathless, individuals on whose graves an eternal flame shall burn. Yet they should have known that.

"Why then? Why have they done this?

"For personal gain? Of a certainty, this motive is not insignificant. One of the defendants recounted the following remark by Piotrowski: 'Pietruszka will not have to breathe down my neck any more.' [-----] [Decree of 31 July 1981 On the Control of Publications and Entertainment, Article 2, Point 1 (DZIENNIK USTAW No 20, Item 99; revised in 1983 DZIENNIK USTAW No 44, Item 204)].

"Did Chmielewski reason similarly? Surely. The repentance observed in this courtroom and declared by the defendant has, however, occurred very tardily, only upon the advent of personal danger following the arrest of Grzegorz Piotrowski, when it became clear that the outlook was very bad. Prior to that, however, the trio (and not only Barbara S.) methodically obstructed and delayed the investigation. Can we believe W. Chmielewski when he says that, were the investigation stonewalled, he could not have lived with the consciousness of having participated in a murder? As regards Chmielewski and Pekala, the moment of their repentance was quite tardy. We know that for certain. As to whether that repentance is sincere, that will be decided by the court. Here, too, however, I have certain doubts which I acquired after hearing that audiotape and the confident, resolute voice of the defendant Chmielewski.

"Piotrowski said that he killed out of fear. He doesn't consider himself a murderer, because he killed out of fear. Is that really so? Does he really think he can be believed? Fear prompts the abandonment of the criminal intent. One flees out of fear. One even kills out of fear if one feels mortally menaced. But can one kill out of fear a man who doesn't menace the killer in any way? Impossible! This just is not a plausible motive for the crime. I can believe in the defendant's fear only insofar as this refers to his fear of accountability.

"And what have we heard in this courtroom concerning the defendant's attitude toward the priest? The defendant was cool, indifferent, dispassionate: 'After office hours I ceased to think of him.' This attitude was put forward by the defendant Piotrowski during 2 days of his testimony. He mentioned the priest's mother: 'I lack the courage to ask her forgiveness,' he said. But the next day, after a recess, a moment before ending his testimony, it turns out that everything said by the defendant was untrue. Now the defendant

demonstrated an emotional, zealously hostile, elementally ill-disposed and hate-filled attitude that evoked astonishment or rather revulsion. Heedless this time of the feelings of the priest's mother, he bespatters his victim with a stream of mendacious accusations. He hurls these accusations not only at the Rev Jerzy but also at other respected and widely known members of the Episcopate of Poland. He feels entitled to do so (and in the proper place, to be sure). So now these are the motives of his action. He alleges that he could not look on calmly at all that and therefore he chose 'the lesser evil'--he decided to kill. For how else can this idea be interpreted? 'The lesser evil,' meaning the murder of a human being. What then is 'the greater evil' to the defendant? This motivational picture already is quite complicated and obscure: he says something about the national accord, about State-Church relations. His real motive is obscured by a nearly transparent figleaf: it is hate, unimaginable hate. The defendant Piotrowski doesn't like the complexity with which the social mechanism functions. He doesn't like it that people think and behave in various ways. He doesn't like the the operating principle of all societies: plurality, diversity. If someone thinks differently, the defendant knows how to handle him. We know how.

"It was because of this hate that the murder was so cruel.

"I can't resist the reflection that carrying out such a task requires certain predispositions in an individual: criminal predispositions supported by the feeling of impunity of action.

"[-----] [Decree of 31 July 1981 On the Control of Publications and Entertainment, Article 2, Point 1 (DZIENNIK USTAW No 20, Item 99; revised in 1983 DZIENNIK USTAW No 44, Item 204)].

"Various ways of inflicting death were considered. There was a need for individuals prepared to carry out supremely difficult tasks, according to Piotrowski when he explained the reasons for his choice of Pekala and Chmielewski.

"Now what were those 'supremely difficult tasks'? We heard them to be as follows:

"--abduction at a railroad station or from a taxi after bludgeoning the taxi driver;

"--shoving out of a moving train;

"--abandonment in the forest;

"--a car accident, to be eventually followed by pouring gasoline on the car and setting fire to it and its passengers (seeing what the defendants ultimately did to the priest, such an eventuality, too, cannot be precluded, despite their denials);

"--burial alive of the bound and gagged priest in a niche of the bunker in Kazun. But that's positively medieval! Please, imagine a pit with a diameter

of half a meter, 2 meters long, in which lies the tied-up and gagged priest, covered with rocks, in a deserted area. He couldn't feed himself because his hands were tied. I'm glad that the defendants failed to bring the priest there, that he had eluded them in this respect.

"This is a terrifying picture of bestiality, unworthy of human beings. And in view of this I challenge anyone to try and persuade me that the defendants merely considered murder among other possibilities. The priest had to die and did die. He died tortured to death with a wooden truncheon and a system of cords knotted so ingeniously that any movement in self-defense would tighten the loop around his throat. We have seen this macabre picture on the videotape. I believe that there are few other instances of such cruelty, such slow killing of a defenseless and weak person, in the annals of Polish crime.

"This trial wouldn't have taken place had it not been for the desperate escape of Waldemar Chrostowski, who owes his life solely to his athletic training and precisely to that desperation. He hurled himself into an abyss from a speeding car. He too was to die. That leap afforded him a chance, a small chance to be sure, of remaining alive. He too was to die. The expectation was that the Rev Popieluszko's companion also was to die. This was established during the pretrial investigation. And so it was. This is the truth. That was why they took along two stone-filled sacks and did not wear face masks. Because this time the action was to be definite and final. The eyewitness could not remain alive, because he knew Pekala. And Pekala knew that! That was why they were going to turn right into the first forest path en route. That also was why Piotrowski earlier was about to strike a blow at the person sitting in the front seat. That also was why Chrostowski was placed in the front seat; there's not the least doubt about it. The priest was to reach Kazun, but in the absence of an eyewitness. That's obvious. It was to be the last journey ever for the eyewitness.

"It's simply impossible to believe the claim of the defendants that the only reason why they took along those two sacks of stones from Kampinos to Gdansk and from Gdansk to Warsaw, and then stored them in Pekala's locker at the MSW [Ministry of Internal Affairs], in order to subsequently transport them to Bydgoszcz, was because they had wanted to intimidate the priest or bury some evidence in Czerniakowskie Lake. The court's reasonable question, 'Why didn't you leave those stones in the bunker in Kazun?' has remained without a logical answer.

"Also remaining without a logical answer is the question of why did the defendant Piotrowski take along a wooden truncheon when striding toward the priest who was quietly sitting in the car, at the site of the abduction, in the Gorsk area. Did he want to use that truncheon in order to break the windows of the Golf? Was that really its purpose? The defendants have testified in this courtroom that they had wanted to avoid overtly lawless actions so as not to risk a reaction from Chrostowski, toward whom they felt respect. That also was why, according to Piotrowski, they didn't use a firearm to intimidate the priest, allegedly because that would take too much time and another car might appear at any moment. True! But how much time would it take for the overtly lawless action of breaking the car's window with the truncheon

in the presence of Chrostowski? Breaking the windows of a car whose right-hand door remained open, on a highway on which another car might appear at any moment. The reason for using that truncheon was to inflict death.

"These questions could be multiplied. For example, why was the bridge at Modlin inspected twice with the object of merely getting rid of some material evidence? After all, intimidating the priest at that spot was not considered. They agreed that this was so. Why did they then check that bridge twice? They were looking for a place for getting rid of the corpse. Why didn't they try to materialize their plan of interrogating the priest and tape-recording his answers after he had already been beaten twice and they could be certain of having intimidated him, if their aim was merely to interrogate and intimidate him?

"The defendant Piotrowski beat the priest on the head or in its neighborhood at least 14 times, or perhaps more. He struck him with his fist at least three times, or perhaps more. He felled him onto the asphalt at least once, and perhaps more often. He beat the priest while the latter stood, and he beat him after he fell. He struck him in the head while the priest was in the trunk, and he also hit the priest while he was lying tied-up on the ground and no longer conscious. The man dealing rapidly and forcefully these blows was 192 cm tall and weighed 102 kg at the time. The defendant, an officer and mathematician by training who, as he stated, knows how to think and reckon logically, couldn't be unaware that any one of these blows, often struck blindly, could be lethal. And now this man is trying to convince us that none of these blows was a beating for beating's sake, although the very first blow must have rendered the priest unconscious. There were six such blows.

"The defendant Piotrowski, as he is in this courtroom, appears a goodlooking, articulate, well-bred, idealistic young man. He says of himself that he is of a mild disposition, that he has never struck anyone. A mild disposition? Your Honors, please imagine this mild man on a dark night in a forest, with a gleam of hatred in his eyes, as he is torturing a human being with a wooden stick. This is the same man! This is what happened!

"But, Piotrowski claims, not one of these blows was a beating for beating's sake. At the same time, he claims that he can't remember what happened en route between Torun and the dam at Wloclawek, because he was in a shock. Does he or doesn't he remember? In effect, these were purposeful blows. If that is so, then he remembers these blows and knows what they were like. Does he, or doesn't he? Neither. What kind of logic is that?

"The defendant Chmielewski claims that he couldn't look on at it. He couldn't, yet he kept Grzegorz Piotrowski posted about every successive attempt by the priest to push open the trunk lid, although he was aware that this would cause the victim each time to be again tortured by Piotrowski. The defendants Pekala and Chmielewski ultimately jointly looped that cord around the priest's neck and gagged him so thoroughly, twice, as to deprive him of the possibility of breathing. Neither at Wloclawek nor at Kazun did he have any chance. They would have found and assaulted him equally well on a train, in a taxi, on a highway or

in a city, because such was their determination and intent from the beginning. The crime was perpetrated. They hurled him from a height into the water.

"It also is perplexing that on that day every indication seemed to be against the criminal intent. Many mischances and behests of reason were in favor of the instinct of self-preservation. Many circumstances seemed to be against them.

"First, they left various traces at the ministry itself: the instructions for Barbara S., the telephone calls to the officer on duty and, subsequently, by then already in Bydgoszcz, the KZC-series license tag number of their car was observed and Pekala heard it. After all, since they worked for the ministry, they were aware of the existence of routine militia patrols in such areas. They couldn't be unaware that the previous, genuine license tag number of their car would also be recorded. Pekala informed Piotrowski of this fact. What did Piotrowski answer? He answered, 'Don't worry.' Why should he not worry? After all, they were leaving obvious traces, spoors. They knew what they were doing. They kept driving. They didn't abandon their aim. Their car began to malfunction, the eyewitness escaped and finally the car became unsafe to drive. And lastly, as Piotrowski testified, they were convinced that the roads were blockaded by them. Could they still change their mind and drop their plan? They could. But they ignored it all. Nothing could any longer change the established plan. Were they losing their instinct of self-preservation? Or did those guarantees of their safety warrant nourishing the hope that, despite everything, all their actions would be camouflaged? They were mistaken. And they parked the car with the license tag number WAB 6031 in the ministry's courtyard.

"[-----] [Decree of 31 July 1981 On the Control of Publications and Entertainment, Article 2, Point 1 (DZIENNIK USTAW No 20, Item 99; revised in 1983 DZIENNIK USTAW No 44, Item 204)]. But the man who deceived him was himself. And I hope that, when the defendant Piotrowski is mistaken when he claims that hundreds of functionaries of that ministry, all weeping on receiving the news of the amnesty, would have volunteered in response to a summons for the operation against Popieluszko. The defendant Piotrowski is simply bluffing.

"The individual is responsible for his own actions. And these actions always are his own. Nothing separates him from his actions, unless it is his own hand if he allows it to act independently without sufficient linkage with his heart and reason.

"The question of who did it must be answered by each defendant thus: I did it! As soon as a moment later, horror must pervade the perpetrator. Why not a moment earlier? With what lies has he nourished his heart in order to view the world in a crooked mirror in which he perceived some values to be greater than respect for human life, in order to decide to become a toy in the hands of those who want to justify depriving a man of his life by some 'supreme good,' some 'lesser evil'?

"If you decide that you yourselves, without looking at yourselves in the eyes of others, are your own god, you will become an instrument of division and enmity, and even an instrument of war and force.... Bear in mind also that personal

values cannot be isolated from social values. 'It is not possible to live inconsistently by making demands on others and on the society while at the same time living as if all were permitted to oneself.' So said John Paul II in his encyclical on the World Day of Peace.

"[-----] [Decree of 31 July 1981 On the Control of Publications and Entertainment, Article 2, Point 1 (DZIENNIK USTAW No 20, Item 99; revised in 1983 DZIENNIK USTAW No 44, Item 204)].

"I ask that the defendants be considered guilty of all the deeds on all counts.

"It also is the tragedy, yes, the tragedy of the defendants that their murder was so successful. Thereby they deprived themselves as well of any chance. Because, were we to hear in this courtroom the voice of the Rev Jerzy, we would hear words of mercy and forgiveness.

"But He's not here."

Next, the presiding judge granted the floor to Attorney Krzysztof Piesiewicz, the attorney for the prosecution representing Waldemar Chrostowski.

Attorney Krzysztof Piesiewicz:

"Your Honors!

"As the counsel for the plaintiff Waldemar Chrostowski I wish to present to this court the wealth of legal problems associated with this case, which requires systematizing. Let me consider the criminal aspect of this affair. The point is to facilitate it for the court to apply the law maximally, to contribute thereto, insofar as possible. Of course, this great matter involves a number of aspects that are indirectly linked to the object of the accusation, and much could be said about these aspects, thus abusing the law and this courtroom for diverse purposes, as has happened, nota bene, yesterday. Here I wish to serve the law as an attorney. What I will say might at times sound tedious and specialized, but such is my duty. Thus, I will consider in succession complicity, guilt and the legal aspects, all from the standpoint of the objective nature of the crime, constituting its social danger.

"Some time between the end of September and beginning of October 1984 the defendants Piotrowski, Pekala and Chmielewski, MSW employees, entered into accords bearing the earmarks of an agreement to perpetrate a crime. They all expressed consent to participating in activities contrary to the law, and the object of that criminal agreement was the lives of the Rev J. Popieluszko and his companion, Waldemar Chrostowski. In this sense we are dealing with complicity as construed by Article 16 of the Penal Code. This is of cardinal importance, because henceforth the particular functions of each of the defendants become virtually inessential. Each of them has expressed his consent to personal participation in a so-called 'action' intended to lawlessly violate the lives of the Rev Jerzy Popieluszko and Waldemar Chrostowski. We're facing an agreement among the defendants that is in the nature of a pact concluded among thugs (pactum scelaria).

"The defendant Pekala sums up that period as follows in his deposition: 'Upon reflection, I concluded that this could be an important stage in my life.' And further he adds: 'I had the impression that I was taking part in a great task. I was deeply convinced of the justness of my action.' These comments are important. They point to full awareness, a precise mutual agreement and--o horrors!--a criminal, lawless action grew in his consciousness into a great deed considered in terms of performance of official duties.

"What actions was the agreement about? On the basis of the testimonies and other evidence we can conclude that this was an agreement comprising both a crime as construed in Article 165, Paragraph 2, of the Penal Code, and a crime as construed in Article 148, Paragraph 1, of the Penal Code. This is evidenced by the statements of the defendants and the implements used to perpetrate the crime. These implements were designed both for abduction and for murder. This agreement was fully carried out. The dead chaplain was found in an impounding reservoir, while Chrostowski saved himself at a risk to his life. Thus, that criminal agreement was materialized in the form of a criminal deed. We are thus dealing with the perpetration of a crime and activities linked to complicity, which is covered by the provisions of Article 16 of the Penal Code. Hence I shall consider the defendants' activities in my further reasoning as joint and mutually agreed-upon actions covered by the provisions of Article 165, Paragraph 2, and Article 148, Paragraph 1, of the Penal Code. The actions of each of the defendants were mutually complementary. And the sum total of these actions was required for the consequences in the sense of their being covered by the appropriate provisions of penal law.

"What was the plan? What was to be the effect of this agreement? The defendant Pekala commented: 'I was aware that the plan presumed the worst case.' Thus, the plan presumed, among other things, the murder of the priest; it presumed the worst case, meaning his death. This is how the problem should be posited, because the defendants did not explain even in a fragmentary form their intentions concerning the abducted and maltreated priest and Waldemar Chrostowski. Vague references to [the intention of] abandoning the priest in the forest after gagging and tying him up are unacceptable, because we are not familiar with the subsequent stages of their plan in that event. What would have happened next? Who would have taken over the malterated priest who was at the limit of his physical endurance? What about Chrostowski? After all, he would have been the living eyewitness of these criminal excesses. Therefore, the theses put forward by the defendants have to be rejected, because they are devoid of logical and plausible argumentation. Such are the preliminary remarks concerning the effect of the crime.

"One more question, which unfortunately remains unanswered. What was to be not so much the effect of that criminal 'action' as its purpose? What were the praxiological aspects of that criminal action? Was the physical elimination of the priest the only aim? Or was the intellectual level of the defendants such as to assume causing a shock to the hearts and minds of the society? Was that a great provocation designed to upset social tranquility at the cost of incalculable consequences to the Nation? Pekala stated that he was 'aware of taking part in a great task.' There is something to it. That was a great

criminal task which could have menaced the stability of social structures. But whom was this to profit? We haven't learned the truth about what was not so much the effect of the criminal agreement as the intended aim of that so-called 'action.' Let's say it explicitly: can a greater degree of peril to the society as ensuing from that deed be conceived? For it transcends the bounds of the provisions of Article 148 of the Penal Code, which is concerned with physical assault. After all, the consequences of this so-called 'action' transcend the tragedy of one individual and the scope of rights protected by that provision. It can be posited to this court as a fact, and unequivocally concluded that the defendants must have foreseen and considered the aspect of social danger.

"In this place let's consider yet another problem. That is a serious problem and let's regard the testimonies of the defendants concerning it very seriously so as to eliminate any doubts. Namely, one of the defendants posited the thesis that lawless action is permissible with the object of saving the law. He declared: 'Were the law to apply equally to everyone, I'd not be on the bench of the accused.' He's thus championing a notion that sounds absurd in this case. Let's consider this matter seriously. The basic question is: what values did the defendants want to preserve by maltreating the Rev Popieluszko and abducting Waldemar Chrostowski? What values did they want to contribute to social life? What brave new world did they want to create through their criminal actions? Higher necessity as an argument for the defense? Can such an absurd idea be entertained even for a moment? Is such a defense of any value compared with respect for human life? Isn't it horrifying that higher necessity, one of the most humanitarian concepts of criminal law, is exploited as a screen for an explicit and planned criminal deed? What value did they want to preserve by risking the lives of two persons and traumatizing public opinion? That value was, Your Honors, faith in their own absolute infallibility and power, their belief that they are the judge and the jury, that they could regulate social relations with truncheons at night. It was implied in this courtroom that the Parliament is unreasonable because it has voted the amnesty decree and that the ultimate higher-ups are incompetents because they ignore the initiatives of the defendants. And further, that part of the ecclesiastical hierarchy are a group of irresponsible people touched by moral rot. Therefore, we, the defendants, came to the aid. With our views, our vision of the society and our truncheons! Thus, this is not guarding the law but total abuse in the name of guarding the law as well as abuse of public trust in the functions exercised by the defendants. This also is a factor in assessing the social peril of that deed. When they pose the problem thus, does not this point to an outrageous absence of the feeling of guilt coupled with a specific feeling of having caused harm, and should not this be a factor influencing the final verdict?

"One of the defendants mentioned feeling sympathy for the persons who were affected by this crime. He was referring to his associates on the bench of the accused as well as to the victim's family. At the same time he claimed that he acted thus out of compelling motives. His motives, as he explained them, were to combat anarchy, disorder, lawlessness. Znamierowski once wrote that such a situation applies in the absence of a higher feeling that would lead to self-disapproval. In such cases an individual often attempts to exculpate himself

by seizing upon some mental construct that exempts him from feeling himself to be the actual criminal. Here in this courtroom we have encountered a gigantic example of this kind. One of the defendants blamed his deed on the victim of that deed as well as on institutions organizing social life. We are dealing here with what is sometimes termed an asocial mind. I believe that this should be an important factor in deciding upon the final verdict.

"And now it is my duty to consider a significant aspect ensuing from Article 7 of the Penal Code, namely, guilt. I shall speak concretely and without any nuances. Was the intent of the defendants direct or eventual? Or perhaps are we dealing with a case of combined guilt? These questions have to be asked in order to dispel any doubts. And hence, to dispel doubts, both doctrinal and juridical principles have to be considered. As we know, the interpretation of guilt in Article 7 of the Polish Penal Code inclines in codified form toward a normative theory of guilt. It is complemented by psychological and other explanations, which also are accepted by the judicial system. Prof Wolter wrote that, in his opinion, the Polish penal code points toward a normative theory of guilt. These seemingly theoretical comments have an essential bearing on this case. That is to say, from the standpoint of the above concept, we have to ask a preliminary question which clears the field for further reflections: Could the perpetrators of the crime have decided otherwise? Could they be considered--*sic rebus stantibus*, as things stand--as having had no intention of causing criminal consequences? This is important to our further reasoning, because it leads to the question of distinguishing between direct intent and eventual intent, particularly in this case. It is precisely by asking the question thus posed that we can perceive the importance of the fact that the defendants perpetrated their criminal deed in their capacity as officers supposed to be guardians of the law. To wit, the guilt of the defendants is crystal-clear. As guardians of the law, as experts in combatting breaches of the law, they had a special duty of not committing the crime specified in Article 7 of the Penal Code. Not only could they have conducted themselves differently but also they had special expertise in perceiving and foreseeing everything in this case. They became criminals not owing to fortuitous circumstances but owing to their conscious and informed choice. Their guilt is, to employ the language of theory, conclusive. It's totally conclusive. A reflection of this theory in the Polish penal code is the concept of the criminal order. Who else but the accused officers knew that even then they should have conducted themselves in a completely unequivocal manner, although in actual fact they did not do so. Neither the intellectual nor the physical will of the defendants vacillated. Yes, there exist special circumstances for concluding that the grounds for the guilt are exceptional. They are a particularly important factor in perceiving the magnitude of the social danger harbored in that crime. We see clearly that magnitude in this case. It prompts us to ask the following questions: [-----] [Decree of 31 July 1981 On the Control of Publications and Entertainment, Article 2, Point 1 (DZIENNIK USTAW No 20, Item 99; revised in 1983 DZIENNIK USTAW No 44, Item 204)]. Why have they shown such contempt for legal institutions? Why do they arrogate to themselves the title of not only guardians of the law but also interpreters of the law --more even, makers of the law? I'm raising these issues and asking these questions in order to demonstrate how emphatically and

grossly is that normative conclusiveness of guilt applicable here. Colloquially speaking, how obvious and great this guilt is.

"All the defendants were ambiguous in their discussion of the problem of intent. To be specific, Pekala, for example, stated: 'Yes, I admit it, but I personally didn't mean to kill anyone.' The defendant Chmielewski commented: 'I didn't want to kill or torture anyone.' The defendant Piotrowski said: 'I neither wanted nor tried to kill.' The defendant Pietruszka declared: 'I don't plead guilty.' Into what legal mazes the defendants want to lead us? One would like to ask why isn't the priest alive? Why did Chrostowski, feeling, as he put it, that it was his 'last journey,' jump out of the car at a risk to his life? Let's thus consider whether we could, by following the line of defense adopted by the defendants, assume that they hadn't intended these criminal consequences to occur. Is it that they didn't want to kill the Rev Popieluszko and Waldemar Chrostowski? I reject such a defense for the following reasons: in view of the facts relating to the preparations for the criminal action, and in view of the circumstances attending the perpetration of the crime.

"Can the thesis of eventual intent be accepted? Let us be more precise: are we merely dealing with assent [to commit the crime] in the absence of intent, under Article 148 of the Penal Code? This concerns murder. In this case, two forms of awareness may be present: the awareness of necessity and inevitability (direct intent) of perpetrating the hallmarks of a crime, and awareness of the possibility of the onset of hallmarks of a crime [eventual intent]. This distinction is important because it separates volition from expectation in perpetrating a deed with criminal consequences. In view of this, can it be assumed that the defendants lacked the awareness of the necessity and inevitability of the onset of the consequences specified in Article 148 of the Penal Code? The sole possible reasoning is to the contrary. To cite a brutal example: if I repeatedly strike someone in the head with a truncheon, I must be aware of the necessary consequences of my act. These consequences can only rarely be absent, because death ensues as a rule! What is more, killing a man need not cause pleasure to the killer (according to Prof Wolter). It suffices for ascribing direct intent: awareness of the necessity of consequences rather than the possibility of consequences. When is the necessity of awareness of the consequences usually present? This has often been made clear in previous judicial opinions. In general, this point has been spelled out in an opinion of the Supreme Court according to which, 'The obligation and possibility of foreseeing the consequences of an act on the part of its perpetrator cannot be judged in isolation from the particular situation; an important factor in such cases is the life experience of the perpetrators.' Needless to say, who but the defendants could be expected to have so much experience in assessing the significance of their actions? One of the defendants has even stated that at one time he used to be a medical orderly, in addition to his other qualifications. The defendants consciously used implements of official origin for perpetrating the crime. They used an official car and official funds. They took along for their so-called 'action' rope, gauze pads and gasoline (for eventual arson) and they prepared blackjacks with a diameter of about 4 cm. They took along two sacks for their action, as well as stones. They took along firearms, a radio transmitter, ether and sticking plaster. That's enough! To us the most interesting are the

sacks--two of them! The defendants inspected various places. It's horrifying: they inspected a bunker and the Modlin bridge. They were ready to act.

"That unfortunate 13 October 1984. Let's recall Pekala's statement: 'I accepted the possibility of the priest's death.' Thus, before that so-called 'action' was launched, the possibility of anything, including death, had been assumed. Was that merely acceptance of a possibility, or was it purposeful action to inflict death? Other variants were foreseen in the event of failure. The defendant Piotrowski termed his action and those of his co-defendants banditism. The defendant Pekala stated that eventually they were to set fire to the car. Your Honors, let me ask: was that merely acceptance of the possibility of death or was it plain murder? Was it, to employ the terminology of Prof Horoszewski, simply a slaying? If the perpetrator desires to cause an accident on a road curve at night to a car speeding at 100 km per hour, and if he is considering setting fire to the car, how is this to be called and what is it about? The absence of an accident, the absence of injuries to the passengers and the absence of arson represent the unanticipated absence of effects, because the intended consequence was death! Of course, we are objectively considering elements of awareness and real facts. Because the car accident was going to happen. That was why the ambush--the radio transmitter, the ski masks, the stone, etc.--had been prepared. Did its perpetrators explain what would they have done following the accident? Would they have called an ambulance and provided first and other aid? No! No such thing! What then? Pekala has explained: gasoline and setting fire to the car. Can any eventual intent be considered here? No, because the perpetrators reckoned only on the eventuality of a--contrary to their intent--fortunate avoidance of accident by their victims. But we, viewing it objectively and verifying the testimonies of the accused, can posit the thesis that the manner of action, the implements used and the experience of the accused as well as the particular circumstances of the passengers in the Golf rendered the attempt vain owing to circumstances beyond the control of the perpetrators.

"And, may it please Your Honors, about the sacks! Two sacks! And the stones taken along to Gdansk? Why?

"We must answer this question by looking at it through the prism of the events of 19 October 1984. Sacks! Why? We couldn't answer it otherwise. Why should 40 kg of stones and two sacks be carried in the car? What for? We must view this through the prism of the dam at Wloclawek, as we can't view it in any other way. This is indirect evidence, but strong, drastically strong and actual evidence! Both Pekala and Chmielewski mentioned taking these (two) sacks along to Gdansk. Since Pekala said that he agreed that 'the priest might die,' we cannot consider these events to have led to eventual intent. Because we must consider this assent a direct intent rather than an eventual intent. For while acceptance of the possibility of death is argued by the defendants in supposedly claiming unwillingness to cause death as an unpleasant action, their modus operandi points to purposeful and direct action. Any other interpretation couldn't be logical from the standpoint of their experience and principles of logic. Pekala stated that 'Piotrowski claimed that death might be caused.' This sounds as if death might happen but didn't have to happen. Your Honors, there in that place, on the highway at 2400 hours on 13 October

1984, under the guise of the night, the will to act with the direct intent of depriving the Rev Popieluszko of his life was also explicitly manifested. At the same time, as a concomitant as it were, given the occasion, Waldemar Chrostowski and Seweryn Jaworski also were to lose their lives. Well then, it was simply due to a higher necessity. Perhaps it would have been better if only the principal subject of their bandit action were to be affected. But since two or three individuals happened to be in that car, well, that was too bad, because the end sanctifies the means!

"Isn't this yet another reason for realizing once more what social danger was harbored in that crime, what price of human life, what disdain! Let us ask whether the defendants also had an emotional attitude toward Waldemar Chrostowski, and why? Did his activities and views justify his becoming an assassination victim? Once more let us return to those sacks and stones. We know how in the end they were used. Like a miller's grindstone, horrifying! Something brought back from medieval times. Pekala testified: 'It seems that we took along two sacks, they were stone-filled and tied-up sacks. They had been readied in the event that two persons would be returning.' In the event that two persons would be returning! We are aware of the functional role of these sacks, the speed of the car, the use of the stone and the intent to set fire to the car. What else is needed to claim that this had been a directly intended attack on the lives of the persons driving on 13 October 1984 in the Golf? The absence of consequences was not due to any effort by the assailants. That was why they launched the action on 19 October 1984, which was simply a continuation of their intent and yet another element corroborating the intent of 13 October 1984. Another aspect linked to 13 October 1984 is the claim of the defendant Piotrowski that he had refrained from hurling the stone; he is simply promoting the thesis that he had abandoned his intent, nota bene. What intent? Can his claim be considered credible against the background of other evidence? Analysis of the evidence points to a different conclusion; it indicates that the defendant Piotrowski simply did hurl that stone. I base this claim on:

"1. The pretrial deposition of the witness Chrostowski as well as his courtroom testimony. Twice he has testified that he had seen the gesture of throwing the stone. He didn't see the stone itself, but that is obvious and possible, since a person sitting in the driver's seat, that is to say, Chrostowski, is hardly in a situation permitting the observation of discrete details. Chrostowski saved his own life and the lives of his passengers by performing a maneuver that greatly impressed his attackers themselves. Such testimony is credible owing to its very lack of details. We have thus the gesture of hurling the stone, although the stone itself hadn't been seen by Chrostowski--because he couldn't have seen it.

"2. The testimony of the defendant Chmielewski is descriptive: he states the size of the stone, explains the division of labor and mentions two sacks with stones. He quotes the conversation following the foiled ambush as a conversation filled with disappointment owing to the failure to produce effects. At this hearing he has introduced the argument that the attackers were going to help their victims, but he failed to explain, because he

couldn't explain, the reasons why the stones had been taken along, and above all, he failed to give the reasons for changing his testimony on this matter.

"3. The testimony of the defendant Pekala is transparent in this respect and consonant with Chrostowski's testimony. In starting to describe the events of 13 October 1984, while describing the implements used to perpetrate the crime, Pekala said: 'Piotrowski said that the plan, and even death, was accepted.' He quoted Piotrowski as saying that if there were more passengers in that car, fire should be set to it following the accident. He also made a significant statement to the effect that any doubts that existed pertained only to the unfolding of the situation rather than to its consequences! We thus cannot posit eventual intent. These doubts concerned only expected and unexpected events, with the latter happening to have taken place besides.

"This thesis is confirmed by Pekala's statement that 'The ambush failed because the driver aimed the car at him [at Piotrowski] and at the very last moment veered off and sped away. We thought him to be a good driver, because he acted capably.' This testimony is fully in accord with that of Chrostowski. But there is one more basic argument: it is a fact that this was an unsuccessful assassination, but it also is a fact that on the next favorable occasion the 'manhunt' for the Rev Popieluszko was resumed and this time completed. Therefore, that first attempt couldn't have been abandonment of the intent, because it was resumed and, in view of this, the claim of the defendant Piotrowski that he had abandoned his intent on 13 October is unacceptable. This thesis is besides also indirectly revealed in Pekala's testimony: 'We found that the ambush had failed and would have to be tried again.' This is indeed what happened! That ambush represented a direct intent to deprive the traveling passengers of their lives.

"May it please Your Honors, the operation was in no way abandoned between 13 and 19 October. Its consequences were not considered. The intent was continued and enriched with new, horrifying and cruel ideas: the 'hunt' for the priest continued!

"This also is a factor in the final decision on the magnitude of the social danger harbored in that deed. On now analyzing the events of 19 October 1984, it warrants the conclusion that any possibility of abandoning the operation and not foreseeing iter delicti has to be precluded. The perpetrators kept pursuing their goal as far as the dam, as far as Waldemar Chrostowski's leap, so to speak. Sorry but there is no alternative to viewing the whole matter through the prism of the looped cord and the dam; it is in fact a duty to view it through that prism, because here we are dealing with the actual effect of the activities of the defendants and this facilitates our appraisal of their particular activities. This also is how I will assess the situation of W. Chrostowski in Gorsk and in Przysiek on 19 October 1984. We are dealing here only with successive stages in accomplishing the intent of the action, and adherence to the thesis that the action on 13 October 1984 had been purposeful has a bearing on this matter. The intent was the same on both days. Pekala distinctly mentions two sacks on 19 October 1984 and describes in detail the manner in which they had been tied, with long pendent segments of rope. We know what this means. What conclusions can this warrant for us? If we consider

13 October 1984 and those tied-up sacks, we must conclude, when referring to the dam and the Modlin bridge, that the purpose had not been altered. But that is not enough. Let us complement our conclusion with indirect evidence concerning the intent on 19 October 1984. The pistol was, according to both Chrostowski and, more importantly, Pekala, loaded, with the safety catch off, and aimed at Chrostowski's head. An explicit command is voiced: shoot in the event of an escape attempt. This means operating a weapon in a situation in which there exists a real danger of loss of life by Chrostowski. By then, Chrostowski is aware that his death is only a question of time: he is gagged and handcuffed and a gun is aimed at his head. What is the intent of the assailants? We already know about 13 October 1984, and we know that this time too two specially prepared sacks are carried in the car. At the moment when Chrostowski was overpowered, a pistol had been used. And hence we are dealing with an unscrupulously continued intent. One of the defendants, while tying on the gag, declared that he was doing it so that the plaintiff 'wouldn't howl on his last journey.' Was that a jest or an attempt to intimidate? Hadn't it been for 13 October 1984, hadn't the subsequent events unfolded, we could have been entitled to ask this question, but as it is the intent to kill was obvious in this case. Let's reinforce this evidence: the defendant Pekala was aware that Chrostowski had seen him and may have identified him. This also was known to the other assailants. And what about the command to turn into the forest path? Consider this in conjunction with the sacks with their pendent strings. The intent is obvious: the earmarks of a crime were about to materialize, and directly at that. Today we know for certain that Chrostowski had felt convinced of this; he testified: 'By then I was aware that there was nothing to talk about with these gentlemen, that this was an ordinary bandit attack, and I knew that I was going to kick the bucket.' His conviction was so great that he dared to make a leap on which he commented, 'I was aware that only a wet spot could have remained after me.' Aren't we convinced as well? Yes, indeed. Consider that homicidal action (under Article 148 of the Penal Code) had by then already been initiated with respect to the Rev Jerzy Popieluszko. The first blows of the truncheon had already been struck. Consider that once before Chrostowski had already been 'selected' to die. Consider also that the fact that the defendants sat down on the bench of the accused so rapidly was due to, among other things, his survival. The assailants had intended for him to die. This is indicated by the arguments given above. An attempt to kill him had been made! This means that at Gorsk on 19 October a crime covered by Article 11, Paragraph 1, in conjunction with Article 148, Paragraph 1, of the Penal Code had been committed.

"In this place I wish to raise yet another issue regarding the situation in which W. Chrostowski had found himself and its legal consequences. I'm referring to Chrostowski's leap! This is an extremely complicated and intricate legal issue. That was of a certainty an extremely dangerous leap. In principle, its consequences turned out to be phenomenally trivial. It can be said that they bordered at an improbability, at a 'miracle.' How is this to be considered from the legal point of view? Was that leap significant only in the sense that it had averted a crime and saved Chrostowski's life? Or is it something more and does it have a legal bearing on the situation of the defendants? Specifically, owing to the criminal actions of the defendants, Waldemar Chrostowski jumped out of the car and faced a situation of mortal

danger. Let us ask a question that goes beyond what had happened. What legal standpoint would have been adopted had Waldemar Chrostowski died owing to the leap whereby he hoped to save his life? And that would have been besides a more likely outcome! Would in that event the defendants be liable for his murder rather than, as at present, for attempted murder? If a person avails himself of his basic and inviolable right to life by saving his own life and counteracting an act of aggression against his life, but dies in the attempt, can we assume that the causal relationship comes to an end here? Is the case limited to him alone? After all, the motives for undertaking such a desperate step originated from actions of the assailants that engendered the conviction that they intended to deprive the victim of his life. This is not a neutral matter nowadays. This concerns a terrorist activity! We must extend this causal relationship in order that such situations would be of concern to criminal law.

"A person who creates a dynamic situation in which, to his victim, the only way of saving one's life is by risking its loss, is responsible for the victim's death. This can be accommodated within causal relationship in the accepted juridical concepts, and similarly the definition of guilt in Article 7 is so capacious as to accommodate this situation. This is no abstract reasoning. Criminal law must deal with manifestations of terrorism. Those who abduct, kidnap and maltreat others in order to intimidate and humiliate them out of hatred and in pursuit of some obscure sociopolitical or other goals, must be made liable, so long as the victims are in their hands, for the life and health of the kidnapped. If it happens that the victims lose their life or health while escaping, the perpetrators are responsible for their death or impairment of health.

"In this particular case the actual situation is covered by the definition of guilt in Article 7 of the Penal Code and by the definition of attempted duress in Article 11 of the Penal Code. However, *de lege ferenda*, it is worth noting that it is time to complement criminal law with a provision specifying the liability of terrorists-abductors for deprivation of freedom, abduction and the life and health of their victims, with a suitable punishment which, in the event of death, should be equal to the punishment specified in Article 148 of the Penal Code.

"Summing up--aside from the aforementioned questions of the legal interpretation of the criminal attack against Waldemar Chrostowski--it has to be stated that Chrostowski's leap itself was an objective dynamic consequence of the actions of his assailants, which involved a considerable likelihood of onset of death. In their general intent the defendants foresaw and accepted such a situation, directly pursuing their goal, which was causing a consequence in the form of murder. But we can't draw therefrom negative conclusions concerning the conduct of the victim, conclusions that would be favorable to his attackers. Let us bear in mind that, pursuant to the intent of Article 22 of the Penal Code, the plaintiff Waldemar Chrostowski would have been justified in killing his attackers in self-defense. He, however, preferred the risk of losing his life. Because only this was possible when, as he stated, 'I knew I was going to kick the bucket.'

"Thus this leap in itself is part of the accusation against the defendants to the effect that they had attempted at Przysiek to deprive W. Chrostowski of his life, and this accusation, as covered by Article 11 of the Penal Code in conjunction with Article 148, Paragraph 1, of the Penal Code, has been definitely proved.

"I'm the counsel for the plaintiff Chrostowski. In principle, what has happened following his lucky and daring leap which is significant in many respects, should not be contained within the scope of my analysis. But, may it please Your Honors, allow me to comment on what has happened next, only insofar as this concerns evaluating the legal situation of Waldemar Chrostowski. To wit, the manner in which the assailants handled the Rev Jerzy Popieluszko is not without significance to evaluating their intent as regards Waldemar Chrostowski. It has to be assumed, as I had stressed earlier, that the assailants had commenced their activities in violation of Article 148 of the Penal Code even before the plaintiff had jumped out of the car. Chrostowski thus became an eyewitness and, what matters most, a factor in demonstrating the direct intent to slay the Rev Popieluszko. Yes, direct intent. The loop had been knotted around the throat of a living person. The Rev Popieluszko was hastily thrown into the water immediately after the car reached the bridge. Thus, their awareness is evident and their intent obvious. Waldemar Chrostowski was to become a 'chance' victim, but a victim for all that. Such is the brutal and horrifying truth about men who acted like automatons, to quote one of them. [-----] [Decree of 31 July 1981 On the Control of Publications and Entertainment, Article 2, Point 1 (DZIENNIK USTAW No 20, Item 99; revised in 1983 DZIENNIK USTAW No 44, Item 204)].

"In closing my argument I wish to devote a few remarks to Waldemar Chrostowski. He is my client and, above all, a victim and the prime witness. This court had a chance to observe that he testified in a calm and controlled manner. I think that it should be stated publicly here that he is a plain-spoken, valiant and just man. His testimony contained not a trace of hatred of the persons who had attempted to encroach on his life. This is a ray of hope, of faith in man and his unambiguous moral and ethical attitude.

"The problem of punishment! Well, we lawyers could as part of our profession stand on the opposite side as well. It is our custom and tradition to refrain from suggesting what sentence should be passed, from raising such questions. But in this case I hope that Your Honors will permit me to make a seeming digression and discuss the comments made yesterday concerning punishment in this case. Punishment is a norm whose social role evokes no doubts, because it serves the need for security, for safeguarding the very special value represented by human life. It's the norm of 'Thou shalt not kill.' It's a form of prohibition, but it also can be formulated in the form of a command commending respect for human life. For logically considered, it doesn't matter whether we operate with prohibitions or with orders. We always consider respect for human life as our personal obligation. Even in this case, even when I accuse, and not just only when I defend.

"That's nearly all. One more thing, pro domo sua, one more wish: Never again! Never again! May Polish priests no longer figure in the Church's history as martyrs!"

In his turn, Attorney Andrzej Grabinski, the counsel for the plaintiff Marianna Popieluszko, took the floor.

Attorney Andrzej Grabinski:

"The gravity of death hangs over this courtroom. Not only the gravity of death but the horror of the tortures and torments inflicted on a man. Both what has happened and what is going to happen in the verdict, as well as what is going to happen after the verdict, has to be approached with great respect, seriousness and understanding.

"Hence, cheap effects and evasions should not be resorted to and the victim should not be blamed, thereby mocking the society.

"Let's retrace the course of the events.

"On 20 October the entire society listened with shock and horror to the TV communique on the abduction of the Rev Jerzy Popieluszko. Other issues were forgotten. That abduction was the sole topic of interest and conversations in every workplace and in the homes of people of diverse social origin, views and attitudes. Seriousness, tension and expectation grew. The churches, kept open all day, were thronged with worshippers. The press, radio and television reported new developments in this matter. Its significance is so great that such a high state dignitary as the minister of internal affairs personally kept the public informed about the results of the investigation. This demonstrates the importance of this matter. Communiques on the identification and arrest of the kidnappers, the recovery of the corpse and the subsequent events followed each other. And then the corpse was transported to Warsaw. The streets of Bialystok were lined with crowds of genuflecting people; on the highway, on sighting the approaching motorcade, all cars and buses stopped and people knelt, paying homage to the victim. This continued until Warsaw itself, until the arrival of the corpse at the St Stanislaw Church.

"Saturday 3 November, the day of the funeral, arrived. All Warsaw is deserted. Only files and columns of people moving toward Zoliborz, in the direction of the St Stanislaw Church, in order to participate in the funeral of the Rev Popieluszko, can be seen. I don't know how many came. According to the most modest estimates, at least 200,000 came, but it is said that many more had come, and the figure of 600,000 spectators appears to be closest to truth.

"Why did these people drop their activities, abandon their homes and gather since dawn under the naked sky, heedless of the autumn chill? Was it because a man had died. Many people die each day. Was it because his death was preceded by suffering? People die all the time while suffering greatly. Around the St Stanislaw Church there was stillness among that great crowd. Tears flowed from their eyes, including the eyes of grown men, and there was an atmosphere of a deep, prayerful concentration. There were no shouts or incidents; there was no

shoving, and those whom the prosecutor called the 'squad of roughnecks' of the Rev Popieluszko totally succeeded in maintaining order without resorting to any force whatsoever.

"From that crowd emanated a feeling of a powerful force rather than of a threat. And it listened to loudspeakers proclaiming the words of the Gospel and the homilies of the Rev Jerzy. The people listened and repeated in unison: 'Conquer evil with good.'

"This was followed by the Holy Mass and a sermon by the Rev Primate, who declared: 'He, as he had stressed himself, looked for no personal considerations. He didn't want to tie the faithful to himself; he simply wanted to bring them closer to God's loveliness. True, as regards the social application of divine truths, he was resolute and demanding. He was continually accused of politicizing too much the teachings of the Church as proclaimed by him. Those teachings will of a certainty meet with an objective discussion and elucidation, because, as known, love for the Fatherland as a form of love for one's fellow men and unselfish life cannot be a mere abstraction but finds forms of social commitment. The Rev Popieluszko loved the Fatherland with a great love.' And further the Rev Primate declared: 'May the strangely suppressed self-preservative instinct of the Nation finally awaken, and may Poles, whatever their social status, no longer meet with tear-stained faces near the coffin of the Martyr Priest; may they instead meet behind the table of dialogue, reconciliation and peace. Long since this has been desired and encouraged by the Church. We forgive our transgressors. We forgive all the transgressors who, out of conviction or following orders, harmed their fellow men. We forgive the slayers of the Rev Popieluszko. We feel no hate toward anyone, and we merely pray that God may accept the innocent victims of coercion, that He may accept the purity of our hearts, for the sake of a justice that will purge the society of all lawlessness in the beloved Fatherland.'

"Such was the background of what happened. This background, the personality of the Rev Popieluszko, cannot be ignored, because in this courtroom attempts have been made to accuse the Rev Popieluszko, to place him on the bench of the accused next to his slayers. This is done without specifying just what he had done, without analyzing and citing his utterances and teachings; instead, defaming invectives are flung at him, invectives against which he can't defend himself and which sully his honor.

"[-----] [Decree of 31 July 1981 on the Control of Publications and Entertainment, Article 2, Point 1 (DZIENNIK USTAW No 20, Item 99; revised in 1983 DZIENNIK USTAW No 44, Item 204)].

"It may be and it is certain that there are people whom the teachings of the Rev Popieluszko displeased, irritated or angered. But is that a reason for flinging invectives at him? He said unpleasant things. But how many priests have become part of history because they said unpleasant things? The famous preacher Skarga spoke of things unpleasant to the rulers, and the Krakow Bishop St Stanislaw spoke of what was very inconvenient to the ruler, and that also was why he had been murdered.

"It must be clearly stated that what is happening here at this trial, this affair, is of absorbing personal interest to all Poles. Because this trial could become a turning point in the social history of our Nation. Because this trial may decide whether social relations will be governed by force and hate or whether, as the Rev Primate [Glemp] said, we will sit down together at the same table and engage in dialogue. Will this be the beginning for exploring the right ways out?

"When speaking of the Rev Popieluszko the function of the priest should be realized. The Holy Scriptures say: 'The priest comes from the people and is appointed for the people.' This is adhered to by Polish priests, and they are imbued with it during their training. The Rev Primate Wyszynski recalled in his 'Zapiski wiezienne' [Notes from a Prison] the saying of his spiritual father from the seminary: 'A time will come when nails will be hammered into your tonsures.' And this crime happened in the area of the local Chelm Diocese, most of whose priests had been murdered during the last World War. Yet not one of them abandoned his pastoral mission. Let no one count on isolating the priests from the people, or the people from the priests. This bond is inseparable. Such is the reality. And that's good.

"Attempts have been made in this courtroom to defame the memory of the Rev Popieluszko. This could still be understood considering that the defamer was his predator, his slayer. This is a phenomenon known to psychology: there is no greater hate than that of the tormentor for his innocent victim. Thus the tormentor attempts to explain and justify his deeds. Did Piotrowski really hate the Rev Popieluszko?

"Consider the evidence. At first Piotrowski testified that his attitude toward the Rev Popieluszko was cool and indifferent. But afterward, after a recess, there was a violent and eloquent outburst of hate and he ascribed to the priest every possible mistake and fault. What was Piotrowski's real attitude toward the Rev Popieluszko?

"Let us attempt to analyze Piotrowski's statements, because neither Chmielewski nor Pekala nor the defendant Pietruszka made any comments about feeling so personally involved, so hostile toward the Rev Popieluszko, as to commit lawless deeds.

"Piotrowski declared that he was irritated and angered because he had lost time off on Sundays and afternoons, because he had no time for himself, and to boot he was being blamed by his superiors. That is, he claimed that his pleasures were spoiled. It is not the nature of the Rev Popieluszko's sermons that was the basis for his emotional attitude.

"This was followed by what Piotrowski terms 'the action.' [-----] [Decree of 31 July 1981 On the Control of Publications and Entertainment, Article 2, Point 1 (DZIENNIK USTAW No 20, Item 99; revised in 1983 DZIENNIK USTAW No 44, Item 204)]. Let us recall his account: there was agreement on the abduction, but no agreement on death; they could still have refrained from it; there were those telephone calls to [Deputy] Director Pietruszka, followed by

Piotrowski's visit to Pietruszka's office. In the end, there was agreement on death.

"This sounds horrible, but was this action motivated by anger or by some lofty considerations--this desire to accomplish what Piotrowski himself termed as 'not a recommendation but an assignment'? Hence, it was a 'volunteer' action. What happens when someone voluntarily undertakes to carry out a difficult task recommended by his superior? Does the executor of the task forego any reward? Essentially, the covert motivation is that of personal gain. I don't know just what gain--promotion, an award or a good mark on the record. All this belongs under personal gain. And it is this personal gain that motivated the actions of the defendants.

"It was thus a premeditated action, based on cold calculation and the conviction of the absence of personal risk in gaining personal and material advantages.

"And what was the attitude of Chmielewski and Pekala. That Pekala is unfortunate, truly unfortunate, because essentially I feel sorry for all the defendants. They are unfortunate men. [-----] [Decree of 31 July 1981 On the Control of Publications and Entertainment, Article 2, Points 1,8 (DZIENNIK USTAW No 20, Item 99; revised in 1983 DZIENNIK USTAW No 44, Item 204)].

"What did that unfortunate Pekala say? I pondered this and decided that Piotrowski's proposal offered him a chance. Did Chmielewski say anything different? He spoke of his personal commitment to his work, of confidence in his superior, of desire to carry out his orders.

"In this courtroom, witnesses and certain defendants uttered the word 'provocation.' Yes, that was a great and deliberate provocation, and a great provocation requires choosing a great victim whose death would cause the greatest resonance. In view of this, is it of no importance whether the Rev Popieluszko or the Rev Malkowski or some other priest is chosen? The victim was chosen in cold blood.

"Just as horrifying as their actions are the attitude and views of the defendants. Chmielewski was aware that abduction is a crime, but his explanation is: 'I had thought that it was approved by the superiors.' Therefore, in his awareness, choice of action is decided not by the law but by the will of his superiors. Piotrowski doesn't plead guilty to having deprived Chrostowski of his freedom, on the grounds that Chrostowski had shortly afterward escaped, and therefore Piotrowski didn't perpetrate that deed. How long is deprivation of freedom to last before it can be reckoned a crime?

"To the question of whether tying up, gagging and intimidation with a weapon are special harassment, the defendant answered with perfect calm that he knew of greater harassments.

"The defendants described quite calmly intimidation, blackmail, extortion of confessions and physical duress as their operating techniques. But they all are crimes! The defendants hold the law in contempt.

"I'm one of the oldest participants at this trial and I remember how in my youth, following the last World War, the question of whether moral insanity was grounds for exonerating or limiting the responsibility of the malefactor was debated. That limitation was not accepted. This case concerns officers appointed as guardians of the law; it is a case that borders at moral insanity.

"The prosecutor said that arrogance was among the factors underlying the actions of the defendants. Yes, we are dealing with an arrogance that rears itself above the entire society, an arrogance that has for centuries been a menace to mankind. It was in a similar situation that Cicero said: 'How long will thou, Catiline, mock us? The terror of the citizens, the outrage of the fatherland, is as nothing to you.' We recall periods of terror from history. We're aware that in some countries the police elevate themselves above the law and government and organize death squads. In this courtroom a theoretical justification has been offered for organizing death squads in our country, namely, that the law is powerless.

"A wind of terror brushed past us. We all, the entire society, skirted a great menace. This should be taken into account when considering the deeds of the accused.

"There is one more element to this case. I refer to an item of evidence which has been completely overlooked, namely, the report on the eagle emblem found near the Golf. That emblem didn't just fall off a [militiaman's] hat. That emblem was torn off the hat and dropped. Such is the finding of the Criminology Laboratory of the Militia Headquarters.

"That emblem was part of the provocation. Let us recall what the defendants had testified in this courtroom: they testified that they were to simulate fear of the militia. In view of this, wasn't it creating a fictitious social situation. Why was the fictitious social situation created? In order to prompt immediate measures. Why was the prompting of these measures desired? Was it done in order to secure peace and tranquility in this country and facilitate dialogue? Or was it done in order to demonstrate that no dialogue whatsoever is possible?

"I don't know in whose interest and behalf was this deed perpetrated. But I know that we were a hairbreadth away from a great danger, and that peril would have been a terrible peril.

"We shouldn't close our eyes to these circumstances. As for us attorneys for the prosecution, in particular, we had the right and the duty to say it."

The last speaker on that day was Attorney Jan Olszewski, a counsel for the plaintiff Marianna Popieluszko.

Attorney Jan Olszewski:

"Your Honors!

"My situation as an attorney for the prosecution is particularly difficult. It may seem paradoxical considering that the crime is obvious, and so is the evidence that it was committed. Thus the entire burden should be on the defense. I, however, feel that I'm shouldering a special burden in my role as a prosecuting attorney at this hearing, for three reasons:

"First, for more than a quarter-century I've been standing on the other side of the courtroom and my habits as a defending counsel bid me instinctively to consider whether the perpetrator of the deed at least does understand what he has done.

"Secondly, the victim of this crime was a man with whose activities I came in contact at various periods of time, a man whom I had known and admired.

"Thirdly and lastly, the demand of the prosecutor's office for passing the severest possible sentence, an exceptional sentence under our laws, a death sentence, is hanging over this courtroom. As a prosecuting attorney I have no right to comment on this matter. But I'm aware that He who was the victim of this crime would have opposed that demand.

"One of the defendants has commented in this courtroom as follows on the Rev Jerzy Popieluszko: 'He wore a cross on his chest and hate in his heart.' No heavier accusation can be made against a man who had devoted all his life to a priest's calling. Had that accusation been made only from the bench of the accused, I might have ignored it; after all, a defendant has the right to his own style of defense, even if it is nasty defense. But yesterday the accusation of spreading hate was made by a representative of the prosecutor's office, and in a particular form at that by equating those being judged here for the crime of murder with the man who was the victim of that crime. This equation was based on criteria that are alien both to the understanding of laws among our society and to our code of law. For he who operated with the word cannot be equated with those who operate with the noose and the truncheon. Such an equation is absent in the laws of every modern civilized country. This should be borne in mind in this courtroom, where so much has been said about the need to abide by the law and legality.

"Mr Prosecutor outlined the silhouette of the Rev Jerzy Popieluszko through the prism of dossiers of proceedings against him, lying on the judges' table, proceedings that had been instituted with the participation of the offices headed by the defendants Piotrowski and Pietruszka. And surely also through the prism of that famous 'pro memoria' from the Office for Religious Denominations, which was read in this courtroom by the presiding judge. This 'pro memoria' contains accusations of participation in an antistate conspiracy organized in cooperation with foreign special services. Fortunately, however, the sermon of the Rev Jerzy Popieluszko which was to constitute the prima facie evidence, if not the sole evidence, of the existence of that conspiracy, was also read. That sermon was so to speak the last word of a 'defendant' who was unable to appear in this courtroom. There's nothing I can add to that defense. A comparison of both documents says everything--to those who have listened to them.

"In his turn, the defendant Pietruszka evaluated the Rev Jerzy Popieluszko on the basis of reports from homileticians and canon law experts at his department. I've an advantage over the defendant Pietruszka in the sense that I had personally listened to most of those sermons of the Rev Popieluszko [-----] [Decree of 31 July 1981 On the Control of Publications and Entertainment, Article 2, Point 1 (DZIENNIK USTAW No 20, Item 99; revised in 1983 DZIENNIK USTAW No 44, Item 204)].

"But let us now leave in peace the victim of that murder and return to the realities of this trial, to the perpetrators whom it concerns. An objective analysis of the facts of the situation has been exhaustively presented yesterday by Prosecutor Kolacki and today by the speakers preceding me. That analysis hardly requires complementing. I'm, however, interested in two matters concerning which I was left dissatisfied by the presentations made yesterday by the representatives of the prosecutor's office.

"The first of these matters is the motives of the actions of the defendants. Concerning this matter I've to admit that I cannot remain completely impartial. I shall, however, attempt to speak without anger, emotion and invective. The defendants are in the hands of the law. And like their victim, whose dignity I've tried to defend, they too have the right to their human dignity. Therefore, if I shall refer to things that are personally unpleasant to them, I shall do so only within the limits needed to establish material truth.

"Their motivation is at its plainest in the case of the defendants Chmielewski and Pekala. Here, too, we encounter a certain shadow zone though. For the prosecutor declared: 'Piotrowski chose Chmielewski and Pekala for the operation in view of their good physical condition and devotion to duty.'

"Piotrowski himself depicted this somewhat differently: 'In my opinion, they both were broadly prepared for executing difficult professional assignments, which warranted the assumption that they would not fail in activities of this kind. They had the right mental and physical predispositions, were skillful drivers of motor vehicles and were loyal to me' (deposition of 31 October 1984). Thus a significant substitution of values was performed by the prosecutor: where Grzegorz Piotrowski spoke of mental and physical predispositions and loyalty to the superior, the prosecutor spoke of devotion to duty—which is not the same thing.

"It was not without a reason that I cross-examined Pekala about the oath taken on entering the Service. I had thought that he forgot its wording. But it turned out that he remembered it accurately. But what of it considering that upon being asked to participate in a criminal action he concluded, after coolly thinking it over, that 'this could be a highly important stage in my life and I decided to take part in that matter.'

"It was likewise not without a reason that I cross-examined the defendant Chmielewski, who mentioned having attended a course in criminal law, about his familiarity with legal provisions. For the defendant Chmielewski had deposed

during his pretrial investigation as follows: 'When during the next stopover in Torun at the Vistula River the screaming Popieluszko was chased, overpowered and led back to the car, I realized that the abduction of the Rev Popieluszko lost what justification it may have had. And during the subsequent stopovers, which were accompanied by beating Popieluszko with a truncheon and tying him up, these actions became an evident crime.' Let us analyze this undoubtedly sincere testimony. Is this a proof of devotion to a Service which should serve the law and legality? What a confusion of concepts in Pekala who, in serving the law and linking to that service his career in life, believes that participation in a crime would be a tangible higher rung on his career ladder. What can we say about respect for the law in Chmielewski, to whom the illegal abuse of a uniform with the object of kidnapping two persons, rendering one of these persons unconscious and throwing him into a car trunk and exposing the other to the risk of death or severe disablement, are in themselves still far from being evident crimes?

"Devotion to duty means loyalty to certain values specified in the oath taken. Obedience at any price, faith in one's superior in any situation still do not constitute in themselves genuine devotion to duty. Let us not confuse these concepts and let us not make of this tragic and sad case an apology for blind obedience. For these actions are not educational. Let us rather enunciate the rather prosaic truth that two young people let themselves be seduced by the fascination exerted by their superior, by a particular atmosphere in which one could set himself above the law and by the--illusory, as it turned out--guarantee of complete impunity as well as by promising career prospects. It was because of this that they decided to voluntarily take part in a crime. What does it have to do with devotion to duty? I wouldn't have mentioned this hadn't that phrase been uttered yesterday by the representative of the procurature, hadn't it been authenticated, as it were, by his authority.

"As regards the defendant Grzegorz Piotrowski, the question of the motives of his action is not as clear. The interpretation offered by the prosecutor accommodates, as it were, several different versions. The first version is the picture of Piotrowski as a victim of professional frustrations: he had been unable to perform a task imposed by his demanding superiors with respect to the undisciplined, rebellious priest. This prompted him toward a selfwilled action. This theory might deserve consideration hadn't it been for the fact that the Rev Popieluszko was scheduled to travel abroad. Inasmuch as this information was officially conveyed by the department chief, the witness Zenon P., to all department administrators and personnel, Grzegorz Piotrowski's frustrated feelings should have no longer been bothered by the Rev Popieluszko. But as we know, they didn't cease to be bothered by him.

"In his turn, Piotrowski at this trial portrayed himself as the town marshall, a fanatic in the defense of law and order who, in view of the incorrigibility of the terrible antistate criminal, organized his own death minisquad in order to radically restore the disturbed order. Such aberrations of police mentality do occur. I, however, don't believe in this incarnation of the defendant Piotrowski. My reason: what he personally said about himself and his attitude toward the law. Consider the following passages from his pretrial depositions:

"From the deposition of 5 November 1984: 'The Audi-80 shipped from the FRG was addressed to my father-in-law in Lodz. I didn't want to register the car in my own name because I had applied for a [car] coupon at my place of employment.'

"From the deposition of 8 November 1984 (concerning another car, a Fiat 132): 'The customs duty on that car hasn't been paid. An application for exemption, signed by my wife's grandfather, has been filed with the customs office, and the formalities still continue owing to the need to obtain disability, war veteran and other certificates.... In order to register and use that car, I have informally registered it as an official car of the Office of Internal Affairs for the Nation's Capital. At that office there is no document proving this.'

"We are thus dealing with a kind of fanaticism for the law which warrants shedding another man's blood in defense of the values proclaimed but doesn't warrant paying money out of one's own wallet. I don't believe in this kind of fanaticism.

"Still to be considered is the third interpretation of the actual motives of this crime. These motives originated from official contacts between Grzegorz Piotrowski and Adam Pietruszka. At this trial they are the crucial aspect. In his pretrial deposition Piotrowski offered the explanation that the scenario for abducting the Rev Popieluszko had been suggested and approved by some undefined 'top' whose actual representative was his immediate superior. Here at this trial Piotrowski found out that that mountain [a pun: in Polish 'gora' means both a mountain and the top] gave birth to Pietruszka. But for us there remains the problem of whether Piotrowski's imputations concerning Pietruszka are to be believed. These imputations are countered by Pietruszka with firm, though now and then inconsistent and even tortuous, denials. The prosecutor has cited evidence supporting Piotrowski's imputations. I concur with this analysis of the public prosecutor. I wish, however, to discuss here two additional circumstances that haven't been mentioned so far.

"The defendant Piotrowski repeatedly mentioned to Pekala and Chmielewski instructions emanating from 'the top,' but specifically he named only one name, that of Adam Pietruszka. A particular circumstance is linked to this matter. If Piotrowski lied and invented the participation of his superior, then why did he choose as his accomplice in the crime Chmielewski, the only person who had the opportunity of unofficially verifying these lies? Chmielewski was the son of an employee working in the same department and having a close friendship with Adam Pietruszka. Through his father he had thus the opportunity to readily verify the claims of his chief. Piotrowski knew this, because he must have been aware of such personal relationships. Had he been lying, he wouldn't have selected Chmielewski for the operation against the Rev Popieluszko, owing to the risk that his lies would be unmasked.

"And the other circumstance is that the dossiers of this case contain psychological test findings and psychiatric opinions. Based on these documents, Piotrowski can't be considered a mentally unbalanced or relatively unintelligent individual. If we assume that he had acted as a lone ranger, he

simply acted suicidally by scattering around himself clues to his crime. Let me cite several examples:

"1. On 13 October 1984, before departing for Gdansk for an operation against the Rev Popieluszko, he left an official proof of his stay in that city by refueling his car at a station of the Office of Gdansk Province Office of Internal Affairs.

"2. He did the same thing on 19 October in Bydgoszcz, where moreover he paid an official visit to the local office of internal affairs.

"3. Before departure for Bydgoszcz he instructed Chmielewski to pick up the uniform of a highway militia sergeant from an official supply store of the Citizens' Militia.

"4. While driving in pursuit of the Rev Popieluszko he used nearly until the last moment the registered license tag number of his official car.

"5. He ignored the fact that the car's license tag number was recorded by Security Service agents in Bydgoszcz. In reply to Pekala's report of that fact, he waved his hand and said, 'Let them record it.'

"Unless this man is insane, which is refuted by the forensic-psychiatric opinions, he must have reckoned on something. He must have been fully convinced that all his activities would be effectively concealed by persons protecting him. To put it briefly, he must have indeed believed in the existence of a 'top.' His expectations were not entirely groundless, anyway. True, the malefactors were identified within 3 days, but we also know that, given the operating mode employed by Piotrowski, his participation in the crime could have been uncovered as soon as on the following day.

"When it comes to awarding laurels for the successful rapid identification of the perpetrators of the crime, it would be well first to consider just who really deserves them and who doesn't. I appreciate greatly the efforts of the personnel of the Investigation Bureau, who succeeded within such a short period of time to accumulate 16 volumes of records of the investigation of this case, which now lie on the judges' table. I myself witnessed, while attending the autopsy on 31 October of last year, how much effort was invested by experts from the Militia Headquarters in clearing up this matter. On the other hand, however, there are questions that must be asked:

"Why did it have to take 3 days for the Operational Staff in Warsaw to receive information on the reports of the agents of the Province Office of Internal Affairs in Bydgoszcz? I refer to the reports of the witnesses M. and P. who had on 19 October recorded the fact that an official car of the MSW was parked outside the church being visited by the Rev Jerzy Popieluszko.

"Why did that staff need as many as 48 hours in order to establish that the KZC-series license tags were an evident forgery?

"Why did the information obtained by the witnesses G. and L. about the car bearing the license number WAB 6031 fail to reach Gen P., but instead reached Pietruszka and Piotrowski, enabling them to exchange the license tags?

"Why was the report that the Rev Jerzy Popieluszka had been seen on Saska Kępa [in Warsaw] made public and characterized as reliable information?

"Why, as established by witness L. during his second trip to Torun, was the license plate number WAE 6081 reported in lieu of the correct number WAB 6031 when commencing the investigation?

"Why is it that Col L., who otherwise exerted every effort to pass on the obtained information rapidly to his superior, didn't consider it possible to inform him that he had identified the car's license tag number as one belonging to an operational vehicle within his own department?

"Why did Grzegorz Piotrowski's secretary, the witness Barbara S., carry out her chief's instruction without batting an eyelash and deliberately convey disinformation to law enforcement bodies on regarding this as part of her normal duties?

"And, to go somewhat farther back, why is it that when Grzegorz Piotrowski mentioned the idea of shoving the Rev Popieluszko off a train, in the presence of two officers both of whom were senior to him by at least one grade, one officer didn't hear him at all and everybody listened to this in complete silence? And even now, viewing this from the vantage point of this courtroom and this trial, the witness B. believes that his silence at that time was something quite natural and devoid of moral consequences.

"Perhaps then, to give credit to those who had indeed contributed to a rapid uncovering of what the prosecutor termed 'a conspiracy within a conspiracy,' organized by Piotrowski and Pietruszka, it would be worthwhile to consider the soil in which this conspiracy, which remained unrecognized until the moment the crime was committed, had matured?

"In this courtroom I've asked many witnesses questions that may have caused impatience. I did it because I wanted to obtain, at least for myself, a rational answer to the question which the witness Zenon P. had, as he admitted, asked himself hundreds of times without ever arriving at a conclusion.

"And in this place we are facing another problem, to which I should like to devote some attention. The prosecutor declared in his argument that the deed of the accused displays the features of a political provocation. This has to be agreed with. But the mechanism of that provocation hasn't been clearly outlined, and its moral resonance has been flattened as it were. During a cross-examination the prosecutor asked the defendant Grzegorz Piotrowski what 'flag' did he act under in moving against the Rev Popieluszko. At that time the defendant evaded answering this question, yet it has to be answered here. That 'flag' has to be described and named. It was the flag of political

piracy. I beg pardon: these are strong words, but in Polish there are no other ways of expressing it.

"In their testimonies the defendants don't conceal that their deed was to provide a signal to various milieux, which they term oppositionist, that the security agencies were switching to extralegal measures. This was allegedly to intimidate these milieux. That was why, on abducting the Rev Popieluszko, they deliberately provided grounds for the assumption that it was engineered by the authorities charged with keeping public order. This assumption was to be reinforced by Chmielewski's militia uniform. It was also to be reinforced by the eagle emblem from a militiaman's hat left as a visiting card by the malefactors near the car from which they had abducted the Rev Popieluszko. When I questioned the defendant Chmielewski about that incident with the emblem, he referred me to his pretrial deposition. But earlier he had testified to this court that he tore the emblem off his hat out of nervousness, because he didn't know what to do with his hands. I believe that his condition at the time didn't justify such an irrational action; I believe that at the time his nervous state was the same as today. Besides, the findings of a criminological analysis demonstrate that the emblem was not torn off by anyone, and that neither did it accidentally fall off the hat, that it was simply planted as misleading evidence. What is it then that the defendant Chmielewski avoids admitting and tries to obscure in his testimony? He is acting thus because he is aware that the emblem planted near the Golf's door is a spoor that promotes interpreting their deed as a provocation within a provocation. For this is a signal that they wanted to leave a clue for public opinion, a clue leading to functionaries of the Citizens' Militia as the perpetrators of the crime, while at the same time this fraudulent clue was to indicate to the law enforcement apparatus a converse thesis, namely, that someone wanted to direct the society's outrage against the militia and hence the malefactors were to be sought among the oppositionists and the underground. It was not by accident that Pietruszka claimed: 'I was certain that it was not done by our people, because that eagle emblem was lying on the ground.'

"The mechanics of the provocation within a provocation had its purpose and consequences. Its victim was the Rev Popieluszko, not because he was so hated or because he had annoyed the defendants so much. He was chosen in cold blood because his name was famous and he was esteemed and enjoyed social recognition. Because the abduction and death of a Catholic priest in a country like Poland would be a great shock to the entire society. From the standpoint of premises for a provocation the victim was chosen unerringly.

"What would have happened had the defendants retained their influence on the conduct of the investigation? Meaning, had Pietruszka remained all the time a member of the operational group and had Piotrowski retained his access to the materials of the investigation? So long as the victim's corpse was not found, it would have been possible to claim that this was a bogus abduction organized by the underground structures and perhaps even in cooperation with the Rev Popieluszko himself. That was why drowning the victim was a starting premise for that operation, and that was why Piotrowski had ordered: 'Tie the stones to his feet.' This provocation was intended to generate in the underground,

among the Solidarity structures, the conviction that the authorities were switching to acts of direct terror. The authorities were to be placed in a situation in which, given the provocation perpetrated by the underground, they had to adapt themselves to its methods. [-----] [Decree of 31 July 1981 On the Control of Publications and Entertainment, Article 2, Point 1 (DZIENNIK USTAW No 20, Item 99; revised in 1983 DZIENNIK USTAW No 44, Item 204)].

"The blood thus shed was to activate a rising spiral of repressions and resistance. The mechanism of mutual terror was to be set in motion by the fuse of that crime. I agree with the representative of the prosecutor's office that the defendant Piotrowski lacks the moral right to appeal from the bench of the accused to the militia functionaries present here, because it was precisely against the militia that he had wanted to direct the wrath and outrage of the society. That Emblem of the State [the Polish eagle] hurled into the road dust, that emblem which the defendants were dutybound to serve, acquires the stature of a symbol.

"There is the well-known Roman principle, 'Cui bono, cui podest.' Who can profit from Poland's being a country of misery, despair and terror? No political orientation, no segment of society can consider this beneficial to itself. [-----] [Decree of 31 July 1981 On the Control of Publications and Entertainment, Article 2, Points 1,3 (DZIENNIK USTAW No 20, Item 99; revised in 1983 DZIENNIK USTAW No 44, Item 204)]. I shudder at the thought that the defendants, persons who were born and raised in this country, could have acted in full awareness of the harm their deed could have caused to the Fatherland. However ill I may think of them, I don't have the right to raise this accusation against them. The defendants declared in this courtroom that they feel deceived, because the guarantees of impunity of which they had been assured proved to be an illusion. I wish that they would understand that they had been deceived a hundredfold as badly because, with their own hands, by their deed, done in an alien interest, they could have poisoned their native land with hate."

1386

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POLAND

ROLE OF RELIGION IN SOCIALISM DISCUSSED

Politicization of Church

Warsaw NOWE DROGI in Polish No 1, Jan 85 pp 164-166

[Article by Wieslaw Myslek]

[Text] A dogmatic argument has been propounded about religion's inadaptability to socialism. This is a startling opinion. If we consider the relationship of religion to socialism, one could sooner speak of the difficulties of adapting socialism to religion, although relatively recent experiences seem to belie this. When I refer to socialism's inadaptability to religion, it is in the sense formulated by Marxist-Leninist classicists, who thought that the objective, historical development of socialism would lead in the distant future to the demise of religion. As for religion, it has adapted to various situations and various social systems and is adapting to socialism. Those who believe otherwise are simply looking from a current, Polish perspective, even though the Polish situation does not lend itself to broader generalization. Religion has already adapted to socialism in the Soviet Union, Bulgaria, Yugoslavia, Romania and Hungary; it has adapted in Cuba and even in Vietnam, despite certain turmoil. Religion will adapt to anything if it is necessary from the standpoint of religion's interests. One hundred twenty years ago, in 1864, Pius IX issued a document that was acknowledged as a declaration of implacability toward capitalism, the encyclical "Quanta cura" and the "Syllabus" appended to it, a list of scores of errors condemned by the papacy. In fact everything that the Roman Catholic Church today has held out as a call to its own banner was condemned--freedom of the press, speech, assembly, even freedom of conscience, bourgeois democracy, a secular state, liberalism--in a word, everything that had been sanctioned by the bourgeois-democratic revolution. Barely a quarter century had passed since the "Quanta cura" encyclical when Pius IX's successor, Leo XIII, adapted the church to capitalism. We can easily see how far this process has evolved in the present situation.

If the church has retreated from "immutable" principles and--as it turns out--has resolved to subordinate doctrine to the exigencies of pragmatism, why should it not deal similarly with socialism? If necessary, it will always adapt. But in Poland there are many indications that the church, at least at present, has no intention of adapting to socialism in its Polish form. It prefers to ignore it. Not

long ago, in 1981, Rev Jozef Tischner wrote openly that church authorities distance themselves from socialism to the point where in their official documents they do not consider even the concept of "socialism." The church tries as far as possible to distance itself from socialism in Poland and from the Polish state. In Czechoslovakia flags are flown from church buildings on national holidays, i.e., on the anniversary of the Slovak uprising, etc. Has anyone in Poland seen church buildings decorated with national flags during national holidays? But the point here is not the flag. The point is the attitude toward the people's state manifested in this manner; the point is emphasis of its disregard.

This position of avoiding acknowledgement of reality permits removing the burden of possible joint responsibility and approaching legitimate relations in the socialist state in a selective way. How many times has the episcopate cited the constitution, for example, when it comes out with various demands. If I remember correctly, in 1976, when the new version of basic law was adopted, the episcopate did not question the article establishing the separation of church and state. Yet today isn't its position on crucifixes and religious figures in state buildings, particularly in schools, disregarding the constitution? Such situations are unthinkable in any country, socialist or any other kind.

The church adapts not only to socialism, but also to social reformism. More precisely, it uses the concepts of social reformism to modify its own procapitalist commitments. The concepts of the reform of capitalism contained in social democratic doctrine have been acknowledged by the contemporary church as the most effective in safeguarding the interests of bourgeois society. Today the entire sociopolitical doctrine of the papacy carries the mark of borrowings from social reformism and in this way is fast becoming a peculiar form of sanctification of social reformism.

I feel therefore that the opinion on the fatalistic rejection of socialism by the church will not withstand a confrontation with the reality of today's world. And even though currently the state of Polish relations is rather pessimistically disposed and permits doubt about the prospects for adaptation, on my part I feel that such adaptation is still a foregone conclusion. That is why this issue interests me personally less than the issue of socialism's adaptation to religion for example. How far will socialism adapt to it and what position does it have or can it have in relation to religion?

The experiences of the most recent times, the experiences of our history, can be enlightening. First, immediately after World War II, socialism's position toward religion was characterized by the use of the principles of the bourgeois-democratic revolution in Polish terms, and with this putting into practice of principles already elaborated in France in the 18th century. Then with the church's vehement opposition, secularization of marriage laws was introduced, compulsory religious instruction in the schools was eliminated and the concordat was terminated, not only because its provisions had been violated by the papacy during the war, but also because the concordat made the state

the "secular arm" of the church and gave the church privileges that ruled out hopes for democratization in public life.

The second period, generally known as the "Stalinist" era, was characterized by attempts to expand control over the church's internal affairs by appointing church positions and achieving a decisive influence on those appointments and controlling financial affairs and organizational activity. The point was not only control over what the church was doing outside the church, but also over what was happening inside the church itself. Then an agreement between the government and the episcopate was signed in April 1950, an agreement which neither of the parties respected fully, as representatives of Catholic circles also admit. It remained an act having mainly symbolic significance. This model of solving religious problems, this kind of attitude toward religion on the part of Polish socialism, collapsed along with the entire "Stalinist" phase.

Then came the third phase, which as a model was the most interesting in my opinion. Its fervent advocate was Wladyslaw Gomulka and he took care that the course of events be in agreement with the assumptions of policy toward religion. Gomulka described the entire issue most concisely at the Third Congress of the PZPR in 1959 when he said that we do not want war with the church, but the church must stay in the church and limit itself to church matters. Until 1970 this was the operative model. Gomulka held to consistent observance of the principle that religion is a private matter of the citizen in relation to the state and that the church is meant to meet the citizen's religious needs, but is not competent in secular matters. In that period the church developed fully, a steady increase in clerical personnel took place and a network of catechetical centers developed, numbering over 20,000. At the same time secular state schools were established and a categorical protest was made against the episcopate's nonreligious activities; this is well illustrated by the affair of the Polish bishops' message to German bishops, which caused much political damage. This liberally oriented policy toward religion and discouragement of church involvement in nonreligious matters had interesting consequences. It was in the 1970's that a broadly declared reluctance to use the pulpit in the political struggle was noted (in sociological research) and at the time the great majority of people treated the matter of their attitude toward religion as not only a private, but also a personal matter, frankly almost an intimate one. Religion entered the "sphere of privacy" to paraphrase the title of a column in TYGODNIK POWSZECHNY, "Departure from the sphere of privacy."

This policy ended after 1970. Edward Gierek, perhaps in the hope of making a political ally of the church, broke with the policy of treating religion as a citizen's private matter toward the state and thereby with the policy of the church's being treated mainly as an institution providing for the religious needs of believers. By declaring in the Sejm that there is no matter serving the common good of Poles that could not be the subject of cooperation between the church and state, he opened the door for the church's penetration of public life. What did he gain in return? Symbolic spiritual participation in the "Polonia" society and on the Committee for

Reconstruction of the Royal Palace in Warsaw. Meanwhile the church used this assent for nonreligious activity, for passing judgment on everything, for occupying a place in public life that was more significant than it had even been. Several post-December (1970) years produced a change in the church's role in the consciousness of the faithful. Today the fact that the church is involved in politics is treated as something completely normal by many people. Several years ago, this was unthinkable.

Decreasing Moral Influence

Warsaw NOWE DROGI in Polish No 1, Jan 85 pp 167-169

[Article by Stanislaw Cieniawa]

[Text] 1. The realization of social goals by the people's authority does not automatically bring negative results for religious institutions. I would like, somewhat perversely, to call attention to some benefits the Catholic Church, for instance, has gained under conditions in people's Poland. First, the nationalization of large estates that until the birth of the PRL were found in the possession of the churches and monasteries eliminated the class animosity of the peasants, who needed land, toward the clergy, who owned the land. The clergy not only owned the soil, fields and forests, which as a rule were poorly managed, but also forced the local population to work on their land for low wages. These people felt an intense hunger for land; several families survived from subdivided farms, while nearby lay the huge estates of those who preached the words of love of neighbor from their pulpits every Sunday and holyday. All this caused the class animosity to turn into religious animosity in many cases.

Second, nationalization of the estates permitted pastors freedom from estate problems so that they could fulfill their pastoral duties better. I personally know of instances in those prewar times when an approaching storm prevented a pastor from peacefully finishing a service if he had grain drying in the field. Third, socialism, by diminishing somewhat the former political position of the church, impelled the clergy to show a better attitude to the faithful. Today the instances of extortion by way of priestly ministrations are rarer and young people studying religion are also better treated. Fourth and finally, socialist egalitarianism, by contributing to the improvement of living conditions on a social scale, by freeing great masses from hunger and poverty, also created the material conditions for spiritual life. In the former Poland, there were often instances when the faithful could not participate in services due to a lack of shoes or clothes, while poverty, hunger and ignorance precluded understanding of the "word of God." It was socialism that introduced rudimentary social justice in the place of beautiful words about "God's love" and created for all the people the material and social conditions for the manifestation of spiritual needs that the faithful satisfy in part in the churches.

Given this, there is no doubt that socialism created more favorable conditions for the church in some respects than did the former

capitalist government in interwar Poland. Thus it is sheer paradox and a glaring injustice that the clergy complains about socialism and proclaims abroad its rank lies that religion is discriminated against in the PRL. Statistics prove the exact opposite. While in 1970 there was a total of 7,660 parishes, church centers and religious communities, in 1980 there were 8,407; there was a total of 14,740 church buildings, chapels and other places of worship in 1970 and 15,918 in 1980; the clergy numbered 19,613 in 1970 and 22,357 in 1980 (according to "Rocznik Statystyczny" 1981).

It is only right to wonder that the church in Poland so readily forgets how "splendidly" Poland developed during the time of its political influence. Enlightened writers and journalists constantly showed the damage and waste that came from interference in politics by the Catholic clergy. For example, what did Poland gain from counterreformation and the religious education of the nobility? The consequences of this aroused even level-headed clergy--S.Staszic, H. Kollataj, Ignacy Krasicki, etc. Our hair stands on end when we read the memoirs of the priest J.Kitowic. A frightening picture of Poland emerges from his "Opis Obyczajow."

The church has managed to implant in Polish minds the myth that without religion there would be neither morality nor culture. Western philosophers have effectively shattered this myth by showing the opposite--that without morality there would be no religion. For example, Kai Nielsen showed that "without the assumption of God's moral perfection, of absolute divine goodness, the necessary connection between what God wants or demands of us and what we are bound to do or what is good does not exist, while we take the notion of moral excellence from social experience ("Morality and faith" 1983 pp 17-36). Irrespective of this, one must concede that the church once had a positive effect on the development of morality and culture in Poland, but those times have already passed.

Research shows that religious moral upbringing is ineffective, even in the realm of rudimentary standards. To avoid any suspicion of bias, we will use the results of studies conducted by Rev Kazimierz Belch. As a result of this research Rev Belch writes, "It turned out that the state of religious motivation for moral conduct in children is, taken in the aggregate, very low, while 'religious morality for them is associated more often with prohibitions than obligations' and in addition 'the scope of religious motivation decreases as the children grow older.'" ("Religious motivation for morality in school children" in CHRZESCIJANIN W SWIECIE No 89/1980). This concurs with the fact that Polish society, although generally religious, is not distinguished either by diligence, integrity or sobriety and as regards smoking is among the world leaders. Religion in socialism is not the foundation of morality that it is universally believed to be.

2. The cardinal error of all pre-Marxist atheists was the notion that the main source of religion is the errors and falsities of rational human thought and that one can dispense with religion by criticizing those errors and falsities, by using rational arguments. Marxist atheism freed itself from this error to a significant degree. The

founders of Marxism-Leninism ascertained that religion has noncognitive sources--social, natural and psychological--and that attention should be paid not to religion itself, but to its sources. Acknowledging as the main sources of religion the "obscurity" of social relations and man's "confusion" within a network of isolation that is incomprehensible to him--economic, political, legal-administrative and cultural alienation--they created the theory of the socialist revolution, making possible effective elimination of that "obscurity" and diverse isolation. Lenin saw the necessity for rational criticism of religion, but also cautioned against falling into the error of abstract, idealistic deprecation of the issue of religion on "reason" alone ("Socialism and Religion," Works" v 10 p 74).

Thanks to the founders of Marxist-Leninism we know the sources of the viability of religion as forms of false awareness, but we still do not know or we underestimate the various spiritual values of a humanistic, secular nature that are the sources of its strength. The phrase "spiritual values" is fraught with many unfavorable associations, while these spiritual values are after all merely attractive notions and images of desirable human qualities and forms of social life indispensable for the development of humanity. Without a preference for spiritual values no one is capable of living honestly or acting generously or whole-heartedly. Thus religion is not only a form of false awareness, but also a form of control over the spiritual life of mankind. In this respect it is one of many value systems or one of many ideologies which E. Fromm described as follows: "By religion I understand every system of thought and action, shared by a certain group, which provides the individual with a system of orientation and an object of worship ("Sketches from the psychology of religion," Warsaw 1966 p 134). Similar definitions of religion also appear in theology. In this connection one can understand religiousness not only as it is understood by Stefan Opara, that is, as the influence of religious doctrine, worship and organization on the broadly conceived psyche, personality, conduct and social relations of a specific human entity ("Marksizm a religijnosc," KiW Warsaw 1980 p 43), but also as a fascination with the values that are most important for the entity (W. Prezyna, "The intensity of religious attitudes and personality," Tow. Naukowe KUL 1973 p 53). The more religion and religiousness in a narrow sense lose their timeliness and weaken, the more the comprehension of religion in a broad sense becomes timely and vital. This broad understanding of religion is a characteristic kind of safeguard of religious institutions threatened by secularization.

These two sides of religion--a form of false awareness and a form of control over human spiritual life--exist together and manifest themselves according to circumstances. In Christianity they are linked by the notion of a personal and benevolent God, which (given the fact of the existence of evil) defies logic but gratifies the emotions. The divine persons (mainly Christ), saintly people (mainly Mary, the mother of Christ) and the angels fulfill the role of confidants and personal models. The psychological superiority of theistic over deistic religions is best illustrated by the superiority of the illogical but personal God of Aurelius Augustus over the abstract, impersonal God of Plato. In Christianity it is so arranged that whoever celebrates his

nameday at the same time honors his patron saint, his protector, confidant and personal model. How far the Christian religion is from logic and how close to emotion is evident from the fact noted in Opara's book that it has occurred in history, for example, that two enemy armies going to battle against each other placed themselves under the care of the same God (i.e., during the Battle of Grunwald). Illusory religious, magical practices are undoubtedly more primitive than religious doctrine. Thus the writers who shift the emphasis from religion to religiousness are right. This creates the broad potential for showing that concealed beneath the notion of "religious man" is an enormous range of attitudes that have little in common in a real sense with religiousness.

We come now to the most important issue, to the enormous wealth of humanistic, secular values free of the shadow of deception, seen to this day as generally religious, even by secular religious experts. The point here is above all the second, spiritual birth of man, which John the Evangelist mystifies (Christ's conversation with Nicodemus, John 3:1-21) and which can be interpreted in a completely secular way. This birth is often associated with the so-called inner revolution, clearly described by J.W.David and J.Hempel. The clergy readily gives a religious interpretation to youthful fascination with the beauty of spiritual values but thorough elaboration and dissemination in the schools of the secular interpretaton is lacking.

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